THE

BENGAL LEGISLATIVE COUNCIL

PROCEEDINGS.

(Official Report.)

TENTH SESSION.

1922.

VOLUME X.

(November, 20th to 23rd, 27th and 28th 1922.)

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble Victor Alexander George Robert Bulwer-Lytton, Earl of Lytton, P.C., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan, Vice-President, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Forests.
4. Irrigation.
5. Excluded Areas.
6. European Education.

The Hon'ble Sir Abd-ur-Rahim, Kt., in charge of the following portfolios:—

1. Judicial.
2. Emigration.
3. Immigration.
4. Jurisdiction.
5. Legislative.
6. Haj Pilgrimage.

The Hon'ble Mr. H. L. Stephenson, C.S.I., C.I.E., in charge of the following portfolios:—

1. Appointment.
2. Political—excluding Haj Pilgrimage.
3. Police.
4. Jails.
5. Ecclesiastical.

The Hon'ble Mr. J. Donald, C.I.E., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Reserved Industrial Subjects.
4. Marine.

MINISTERS.

The Hon'ble Sir SURENDRA NATH BANERJEA, Kt., in charge of the following portfolios:—

Local Self-Government and Public Health.

The Hon'ble Mr. PROVASH CHUNDER MITTER, C.I.E., in charge of the following portfolio:—

Education.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., in charge of the following portfolios:—

Agriculture and Public Works.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Mr. H. E. A. COTTON, C.I.E.

DEPUTY-PRESIDENT.

Babu SURENDRA NATH RAY.

Secretary to the Council—C. TINDALL, C.I.E., I.C.S.

Deputy Secretary—A. M. HUTCHISON.

Assistant Secretary to the Council.—K. N. MAZUMDAR (on leave).
J. W. McKAY (*Offg.*).

Registrar to the Council—J. W. McKAY.
M. MUKHERJI (*Offg.*).

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Afzal, Nawabzada K. M., Khan Bahadur [Dacca City (Muhammadan).]
Ahmed, Khan Bahadur Maulvi Emaduddin. [Rajshahi South (Muhammadan).]
Ahmed, Khan Bahadur Maulvi Wasimuddin. [Patna (Muhammadan).]
Ahmed, Maulvi Azaharuddin. [Bakarganj West (Muhammadan).]
Ahmed, Maulvi Rafi Uddin [Jessore South (Muhammadan).]
Ahmed, Maulvi Yakuinuddin. [Dinajpur (Muhammadan).]
Ahmed, Mr. M. [Faridpur South (Muhammadan).]
Ahmed, Munshi Jafar. [Noakhali (Muhammadan).]
Aley, Mr. S. Mahboob. [Calcutta South (Muhammadan).]
Ali, Maulvi Syed Muksood. [Barrackpore Municipal (Muhammadan).]
Ali, Mr. Syed Erfan. [Nadia (Muhammadan).]
Ali, Mr. Syed Nasim. [24-Parganas Rural (Muhammadan).]
Ali, Munshi Amir. [Chittagong (Muhammadan).]
Ali, Munshi Ayub. [Chittagong (Muhammadan).]
Arhamuddin, Maulvi Khandakar. [Mymensingh West (Muhammadan).]
Azam, Khan Bahadur Khwaja Mohamed. [Dacca East Rural (Muhammadan).]

B

Band, Mr. R. N. (Indian Jute Mills Association.)
Banerjea, the Hon'ble Sir Surendra Nath. [Minister, 24-Parganas Municipal (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Bhattacharji, Babu Hem Chandra (Nominated Non-official—Labouring Classes.)
Birley, Mr. L. (Nominated Official.)
Bose, Mr. S. M. [Mymensingh East (Non-Muhammadan).]

C

Carey, Mr. W. L. (Indian Mining Association.)
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Babu Tankanath. [Dinajpur (Non-Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman. [Bogra (Muhammadan).]
Chaudhuri, Maulvi Shah Muhammad. [Malda *cum* Jalpaiguri (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhuri, Sir Asutosh. [Bogra *cum* Pabna (Non-Muhammadan).]
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur. [Minister, Mymensingh East (Muhammadan).]
Choudhury, Maulvi Rahmatjan. [Faridpur North (Muhammadan).]
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Clarke, Sir Reginald. (Expert, Nominated.)
Cohen, Mr. D. J. [Calcutta South Central (Non-Muhammadan).]
Colvin, Mr. G. L. (Bengal Chamber of Commerce.)
Crawford, Mr. T. C. (Indian Tea Association.)
Currie, Mr. W. C. (Bengal Chamber of Commerce.)

D

Das, Babu Bhismadev. (Nominated Non-official—Depressed Classes.)
Das, Mr. S. R. [Calcutta North-West (Non-Muhammadan).]
Das Gupta, Rai Bahadur Nibaran Chandra. [Bakarganj North (Non-Muhammadan).]
De, Babu Fanindralal. [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
Deare, Major-General B. H. (Nominated Official.)
DeLisle, Mr. J. A. [Dacca and Chittagong (European).]
Dey, Mr. G. G. (Nominated Official.)
Donald, the Hon'ble Mr. J. (Member, Executive Council.)
Donovan, Mr. J. T. (Nominated Official.)
Doss, Rai Bahadur Pyari Lal. [Dacca City (Non-Muhammadan).]
Dutt, Mr. Ajoy Chunder. [Bankura East (Non-Muhammadan).]
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta North Central (Non-Muhammadan).]
Dutta, Babu Annada Charan. [Chittagong (Non-Muhammadan).]
Dutta, Babu Indu Bhushan. [Tippera (Non-Muhammadan).]

E

Emerson, Mr. T. (Nominated Official.)

F

Faroqui, Mr. K. G. M. [Tippera (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]
French, Mr. F. C. (Nominated Official.)

G

Ghatak, Rai Bahadur Nilmani. [Malda (Non-Muhammadan).]
Ghose, Mr. D. C. [24-Parganas Rural South (Non-Muhammadan).]
Ghose, Rai Bahadur Jogendra Chunder. (Calcutta University.)
Goode, Mr. S. W. (Nominated Official.)

H

Haq, Maulvi A. K. Fazl-ul. [Khulna (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Hornell, Mr. W. W. (Nominated Official.)
Huntingford, Mr. G. T. (Nominated Official.)
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]
Hussain, Maulvi Md. Madassur. [Burdwan Division North (Muhammadan).]

J

James, Mr R. H. L. Langford. (Indian Jute Mills Association.)
Janah, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan).]

K

Karim, Maulvi, Fazlal. [Bakarganj, South (Muhammadan).]
Khaitan, Babu Devi Prosad (Nominated Non-official.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Hamid-ud-din. [Rangpur East (Muhammadan).]
Khan, Maulvi Md. Rafique Uddin. [Mymensingh East (Muhammadan).]
Khan, Mr. Razaur Rahman. [Calcutta North (Muhammadan).]
Khan Chaudhuri, Khan Bahadur Maulvi Md. Ershad Ali. [Rajshahi North (Muhammadan).]

L

Lang, Mr. J. (Nominated Official.)
Larmour, Mr. F. A. (Calcutta Trades Association.)
Law, Raja Reshee Case. (Bengal National Chamber of Commerce.)

M

Maharajadhiraja Bahadur of Burdwan, the Hon'ble. (Member, Executive Council.)
Makramali, Munshi. [Noakhali (Muhammadan).]
Mallik, Babu Surendra Nath. [Calcutta South (Non-Muhammadan).]
Marr, Mr. A. (Nominated Official.)

McAlpin, Mr. M. C. (Nominated Official.)
Mitra, Rai Bahadur Mahendra Chandra. [Hooghly Municipal (Non-Muhammadan).]
Mitter, the Hon'ble Mr. P. C. (Minister, Presidency Landholders.)
Moitra, Dr. Jatindra Nath. [Faridpur North (Non-Muhammadan).]
Morgán, Mr. G. (Bengal Chamber of Commerce.)
Muir, Mr. R. H. (Bengal Chamber of Commerce.)
Mukharji, Babu Satish Chandra. [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
Mukherjee, Babu Nitya Dhon. [Hooghly Municipalities (Non-Muhammadan).]
Mukherji, Professor S. C. (Nominated Non-official—The Indian Christian Community.)
Mukhopadhaya, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan).]
Mullick, Babu Nirode Behary. [Bakarganj South (Non-Muhammadan).]

N.

Nakey, Mirza Muhammad Ali. [24-Parganas Municipal South (Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Pal, Rai Bahadur Radha Charan. [Calcutta East (Non-Muhammadan).]
Parrott, Mr. Percy.
Poddar, Babu Keshoram. (Bengal Marwari Association.)
Prentice, Mr. W. D. R. (Nominated Official.)

R

Rae, Mr. W. R. [Presidency and Burdwan (European).]
Raheem, Mr. Abdur. (Nominated Non-official.)
Rahim, the Hon'ble Sir Abd-ur-. (Member, Executive Council.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rauf, Maulvi Shah Abdur. [Rangpur West (Muhammadan).]
Ray, Babu Bhabendra Chandra. [Jessore North (Non-Muhammadan).]
Ray, Babu Surendra Nath. [Deputy-President, 24-Parganas Municipal South (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)

Ray, Rai Bahadur Upendra Lal. (Chittagong Landholders.)
Ray Chaudhuri, Babu Brojendra Kishor. (Dacca Landholders.)
Ray Chaudhuri, Mr. Krishna Chandra. (Nominated Non-official—Labouring Classes.)
Ray Choudhury, Raja Manmatha Nath. [Mymensingh West (Non-Muhammadan).]
Rishi, Babu Rasik Chandra. [Noakhali (Non-Muhammadan).]
Roy, Babu Jogendra Krishna. [Faridpur South (Non-Muhammadan).]
Roy, Babu Jogendra Nath. [Dacca Rural (Non-Muhammadan).]
Roy, Babu Nalini Nath. [Jessore South (Non-Muhammadan).]
Roy, Maharaja Bahadur Kshaunish Chandra. [Nadia (Non-Muhammadan).]
Roy, Mr. Bijoyprosad Singh. [Burdwan (Non-Muhammadan).]
Roy, Mr. G. N. (Nominated Official.)
Roy, Mr. J. N. (Nominated Official.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Rai Bahadur Lalit Mohan Singh. (Burdwan Landholders.)
Roy, Raja Manilall Singh. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]

S

Salam, Khan Bahadur Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Jogesh Chandra. [Rangpur (Non-Muhammadan).]
Sarkar, Babu Rishindra Nath. [Bankura West (Non-Muhammadan).]
Sinha, Babu Surendra Narayan. [Murshidabad (Non-Muhammadan).]
Skinner, Mr. H. E. (Bengal Chamber of Commerce.)
Spry, Mr. H. E. (Nominated Official.)
Stark, Mr. H. A. (Anglo-Indian.)
Stephenson, Mr. H. L. (Member, Executive Council.)
Suhrawardy, Dr. A. [Dacca West Rural (Muhammadan).]
Suhrawardy, Dr. Hassan. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed [Burdwan Division South (Muhammadan).]

T

Travers, Mr W. L. [Rajshahi (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Tenth Session.)

VOLUME X.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday the 20th November, 1922, at 2-40 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, two Hon'ble Ministers (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur, being absent), and 101 nominated and elected members.

Oaths.

The following members made an oath or affirmation of their allegiance to the Crown:—

The Hon'ble Mr. H. E. A. COTTON, C.I.E. (*President*).
Major-General B. H. DEARE, C.I.E., I.M.S.
Mr. G. N. ROY.
Mr. A. MARR, C.I.E.
Mr. G. G. DEY.
Mr. J. T. DONOVAN.
Sir REGINALD CLARKE, KT., C.I.E.
Mr. S. R. DAS.
Maulvi FAZLAL KARIM CHOWDHURY.
Maulvi RAHIMAJAN CHOUDHURY.
Mr. W. W. HORNELL.

At 3 P.M. the Registrar to the Council announced to the Hon'ble the President that His Excellency the Governor was without.

The Hon'ble the President then left his seat on the dais and met His Excellency at the door of the Chamber. His Excellency then entered the Chamber with the Hon'ble the President and, at the request of the Hon'ble the President, took his seat on the Presidential Chair, the Hon'ble the President being seated on His Excellency's right.

His Excellency the Governor's address.

HIS EXCELLENCY the GOVERNOR of BENGAL (the Earl of Lytton): GENTLEMEN,—On two previous occasions, since my arrival in India, I have taken the opportunity of the opening or closing of a session to address you upon matters in which I have personally taken some action which I desired to explain to the Council. In the present session, there is only one such matter—namely, the nomination of a successor to the late Nawab Sir Syed Shams-ul-Huda as President of the Council, and in the few remarks I have to make to you this afternoon I shall confine myself to that matter. On the last occasion I expressed my desire to be associated with the vote which the Council passed of condolence with the late President on his illness and retirement. Since the Council last met Nawab Sir Syed Shams-ul-Huda has died, and once again I wish to join with the members of this Council in expressing my appreciation of his services and my sympathy with his family in their bereavement. Before I come to deal with the appointment of his successor I have an obligation of gratitude to discharge to the Deputy-President for the public spirit with which he has carried out his difficult duties. The Council, I know, appreciates the manner in which Babu Surendra Nath Ray has filled the post of Deputy-Presidentship and done the work of President for a year, but I wish to express publicly my personal thanks to him in particular for the spirit in which he received the appointment of Mr. Cotton, which must, of course, have been a disappointment to him. He, at once, acceded to my request to continue in the post of Deputy-President, and in the most public-spirited manner consented to preside over the Council in the July and August sessions. Throughout the whole of the period in which he has performed the duties of President he has refused to accept any salary for his services. I am deeply grateful to Mr. Ray for the admirable spirit which he has shown throughout. I am sure that all the members of the Council will join with me in an appreciaion of his services. I now wish to say one word about the selection which I have made of a successor to the late President. As the Council is aware, the Act of 1919 imposes upon the Governor the duty of selecting the President of the Legislative Council for the first four years of its life. After that time the Council will elect its own President. It was the intention of Parliament and of the Select Joint Committee, which helped to frame the Act of 1919, that, where possible, the post of President, during these first four years, should be filled by some one with experience of the working of representative institutions in England, so that the rules of business might be framed and the customs of debate established from the first in accordance with parliamentary traditions. As these Councils have been constituted on the model of the House of Commons, it is important that their members should have the means of learning at the outset what is the custom and practice of procedure in the House of Commons. It was with this object that

Mr. (now Sir Frederick) White was appointed to preside over the Legislative Assembly and guide the members of that body in laying the foundations of their procedure, and from all that I have been able to learn, that appointment has been fully justified. It was with the same object that, when the post of President of this Council became vacant, I decided to look, first of all, for a man with some parliamentary experience. It would, I think, be a most undeserved reproach if it could be said with any truth that the business of a Provincial Legislative Council was not of sufficient interest or importance to induce a member of the House of Commons to accept the office of its President. Mr. Cotton's acceptance of this post has removed this reproach as far as Bengal is concerned, and, judged by this test, we can now say that our business is no less important than that of the Legislative Assembly. It is my ambition, as I am sure it is that of every one of its members, that the Bengal Legislative Council should come to be recognised as the best model of a representative legislature in India. I feel that I am fortunate in having secured in Mr. Cotton, a man who has not only had experience in the House of Commons and the London County Council, but has had previous experience of Bengal and its people. Mr Cotton's name is well known and greatly revered in Calcutta. He, himself, I am glad to think, has many friends in Bengal, and some even among the members of this Council. He comes to us, therefore, not as a stranger, but as an old friend, and I am confident that he will very quickly win the confidence and respect of this Council. I am personally extremely grateful to him for having accepted my invitation, and I trust that his occupancy of this difficult and important post will serve to strengthen the admiration and affection which I know he already feels for the people of Bengal. (Applause.)

His Excellency the Governor then left the Chamber preceded by the Hon'ble the President.

The Hon'ble the President then re-entered the Council Chamber and took the Chair.

Speeches of Welcome.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: MR. PRESIDENT,—After the eloquent tribute paid to you by His Excellency the Governor, I do not feel I would be justified in taking up the time of this Council at any length in welcoming you here, but let me assure you, on behalf of my Hon'ble Colleagues, the Members and Ministers, that it is a great pleasure to us to have you here to-day. As His Excellency has very rightly pointed out that when we have started on a great experiment in this country, in the Bengal Legislative Council at any rate, we should have at the helm of affairs a President who has had experience of the procedure

in the House of Commons, and on the top of that you have had very valuable experience in the London County Council, not to speak of that important body over which my friend, Babu Surendra Nath Mallik at the present moment presides. Apart from that, although like everywhere in India, the value of traditions is beginning to be minimised, yet we are sure that the traditions of your family, the traditions that your noble father left behind, will assist you to discharge your duties to all of us in a manner which will not only help us to make this Council what it should be, but help us to learn how to run this Council properly. On behalf of my Hon'ble Colleagues, the Members and Ministers, I welcome you, Sir, once more.

The Hon'ble Sir SURENDRA NATH BANERJEA: MR. PRESIDENT,—I desire to associate myself thoroughly with the observations which have just been made by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, and I extend to you a welcome not only on behalf of Government, but I venture to add also on behalf of the members of this Council. You come here, Sir, as the bearer of a great name, of honoured traditions which have extorted the admiration and gratitude of my fellow-countrymen, and your father's name will long be cherised with affectionate reverence by the people of this province. I am sure, Sir, that you will follow these traditions, add to them, amplify them and leave behind you a name worthy of these great traditions of which you are the inheritor. I do not think I should detain this Council with a long speech. On behalf of the Council I desire to extend to you a most cordial welcome.

Mr. DEPUTY-PRESIDENT (Babu Surendra Nath Ray): MR. PRESIDENT, It is with great pleasure that I give you a most hearty welcome. We have known each other for more than quarter of a century and have been friends for two generations. For five generations you have eaten the salt of India and you and your family have always been the friends and well-wishers of the people of this country, and have not only sympathised with their aspirations but have fought for their just rights. Both in the Provincial and the Imperial Council, as well as in the Imperial Parliament, the people of this country found in your good father a sturdy champion of their rights fighting on their behalf. You have all along maintained the best traditions of your family both as Editor of *India*, as well as a member of the House of Commons, and in your other spheres of activity in England. You will find in the members of this Council a body of responsible and intelligent men who are generally actuated by a high sense of duty to serve their motherland and whom it will not be difficult to guide and to manage.

Rai JOGENDRA CHUNDER GHOSE Bahadur: On behalf of the non-official members of this Council I beg to accord to you a hearty welcome and an assurance of our goodwill towards you.

You have come here amongst us with a great name. Your father Sir Henry Cotton's name is cherished by the people of India with love and gratitude as one of their best friends. You, too, Sir, have come here as His Excellency said, not as a stranger but as an old friend. You too had your part as Editor of the *India* newspaper in the grant of the great Reforms which in spite of their palpable defects and in spite of the condemnation of impatient patriots are a great advance for India in the path of freedom. You have come here as a Member of the British House of Parliament with the best traditions of that House, with the best traditions of the stronghold of human freedom, and we, therefore, expect that you will treat us as the Speaker of that great House would treat the Members of Parliament, with strictness and justice between man and man, and never interfere with that freedom of speech which is the very life of parliaments.

Mr. R. H. L. LANGFORD JAMES: On behalf of the non-official European members of the Council I should like to be allowed to add our welcome to those which have already been extended to you by His Excellency and the succeeding speakers. We are not, Sir, numerically a very strong party in this House. We are all, I think, extremely busy men, and, therefore, there are times when we are not able to devote to this Council perhaps all the attention we should desire, but, Sir, we do our best to do our duty. Briefly I think, perhaps, our motto is *facta non verba*. We are not, Sir, a very vocal community, and I will, therefore, not inflict myself longer on the Council, but I do extend to you a most hearty welcome on behalf of the non-official European members of this Council.

Maulvi A. K. FAZL-UL HAQ: I feel I would be wanting in my duty as a very humble member of the community to which I belong, were I to hesitate a single moment in joining my colleagues in offering you a sincere and cordial welcome. But permit me to assure you, Sir, that this welcome is based on feelings which come deep from the heart of every Indian—feelings far higher and far nobler than the passing sentiment of ordinary courtesy or even conventional formality. Sir, generations of the honoured name you bear have given to India the best part of their lives in building up that great constitution of ordered Government in this country which is at once the wonder and admiration of the whole civilized world. Sir, it is impossible that a Cotton should come to India and not be assured of a hearty welcome. The name of Sir Henry Cotton of revered memory is a household word not only in Bengal but all over India. The Cottons of old worked with the goal dimly in sight, but you, Sir, have come when we hope we are fairly in reach of that goal. In the discharge of the duties of your exalted office, you will want the assistance and co-operation of the members of this Council. I think I may say on behalf of my colleagues that this co-operation and assistance will be freely given and that

under your guidance this Council will be able to efficiently discharge its duties in a manner worthy of the best traditions of the Bengal Legislative Council, and worthy of the great gift which has been in the power of England to bestow on the people of India. I will not take up the time of the Council any further. Once more, Sir, I beg to extend to you a very hearty and sincere welcome.

Rai RADHA CHARAN PAL Bahadur: I feel special pleasure in extending to you a hearty welcome. For two generations we have been close and intimate friends, and when I remember, or rather look back to the old days when we were associated in the Corporation of Calcutta as members, colleagues and friends, I cannot but feel not only pleasure but pride in welcoming you back again to the Council. As has been correctly observed by several previous speakers the name of Cotton is a household word in India, and during the time that you had been in our midst you had identified yourself with the people of this country. In fact, we have always treated you as one of us and you on your part have never ceased to take a keen interest in our welfare. You have identified yourself with the Reforms which we are now earnestly striving to make a success, and I hope, Sir, that under your guidance the Reforms, specially in the Presidency of Bengal, will be fully justified by the Legislature over which you will preside. The esteem, love, and admiration in which you are held fully show the ardour and enthusiasm with which your appointment was welcomed as President of this Council. Although you are not an Indian, you are welcomed as affectionately as an Indian if he had been appointed, and not only on my behalf but on behalf of my countrymen I welcome you as heartily and as cordially as we would have welcomed an Indian.

Dr. A. SUHRAWARDY: As a representative of the Muhammadans of Dacca in the Council, and as the first elected non-official Chairman of the Board of a district where you, Sir, first saw the light of day, I rise to associate myself with the words of welcome which have fallen from the Leader of the House and our respected leaders the Hon'ble the Maharajadhiraja Bahadur, the Hon'ble Sir Surendra Nath Banerjea and other previous speakers.

You do not come, Sir, as remarked by His Excellency, as a stranger in the midst of strangers, but as a friend amongst friends.

As a member of a distinguished family which has loyally served India for close upon a century, your selection as President of our Council was bound to evoke the enthusiasm and interest, and elicit the applause and approval of the people of Bengal. But you have your own personal claims on our regard and esteem established by invaluable and faithful services rendered to India when it had but few friends amongst the people of your race. To me your return to the scene of your former labours as the President of our Council is full of significance.

It is not only a happy choice on which the Government is to be congratulated but it is a happy augury. By a strange coincidence, by the accident of birth, the head of our Government is an Indian and the President of our Council a man of Bengal. If the stars which preside at our births have not lost their ancient influences, this conjunction augurs well for the Reforms. But without drawing upon astrological lore, I may safely declare that you, Sir, embark upon the duties of your new office under the happiest of auspices. The golden links of affection and gratitude have already secured a place for the honoured name you bear in the hearts of our people. One has only to look around to see the monument of love and gratitude raised by admiration and esteem to a "True friend to India and its People"—one who gauged the depth and intensity of Indian feelings, understood and sympathised with the aspiration of "New India"—one who watches, if the dead care for what goes on in our petty world, with keen and anxious eyes, the deliberations of the Assembly over which his son presides to-day from the Valhalla, where a grateful public have placed his marble bust right in front of you, Sir, as I learn from the Maharajadhiraja.

Mr. D. C. GHOSE: In offering you a very cordial and sincere welcome as the President of the Bengal Legislative Council, I need hardly say that it is to me a special pleasure to see in the Chair of this House an old and valued friend of mine and my family. But apart from personal grounds I am able with complete justification to welcome you to that Chair as a fit man in a fit place. Bengal, to you, is your second home. You are as familiar with it as any son of the soil can be and, added to that intimate familiarity, you bring valuable experience of transaction of public affairs in the London County Council and the House of Commons. These are, Sir, unique qualifications for the post which you now occupy. A distinguished ex-Prime Minister of England once said that he failed to realize why it was at all necessary to have a chairman of a meeting. He went on to observe that meetings and assemblies were not so tumultuous as to require the intervention of a chairman and the only visible function of the President was to possess himself of the most comfortable chair in the meeting room and listen to speeches made by other people. This, I hope, is not the picture you have in your mind of the functions which you are called upon to exercise as President of this Council. You have, Sir, if I may remind you without any impertinence, very valuable functions to discharge as the spokesman of this Council; and you may rest assured that in the discharge of your duties, you will get all the help and co-operation which we, the non-official members of this House, are capable of rendering you.

Sir ASUTOSH CHAUDHURI: I accord you a hearty welcome. I do it in my individual capacity. I do not know that I can represent the House in addressing these words of welcome to you on behalf of

any community. I know you, Sir, as a friend and I know there are several friends who accord you this welcome. This scene to-day recalls to my mind a scene which occurred many years ago. At that very place which you are now occupying, your father came to a sitting of the Indian National Congress and my friend, the Hon'ble Sir Surendra Nath Banerjea, addressing your father and referring to the Indian National Congress said: "Here is a New Indian. May I introduce Mr. Cotton (he was then not Sir Henry Cotton) to you all." I remember what Mr. Monmohan Ghose then said about your father which elicited great applause—I believe my recollection is correct. We welcome you as his son who will emulate his love for India. You are now facing "New India," and I feel, from what I have known of you as a personal friend for many years, that you will do your work which will honour the chair which you are now occupying.

Kumar SHIB SHEKHARESWAR RAY: As one belonging to a hopeless minority in the Council, *i.e.*, the "opposition," if it can be called "opposition" at all, I beg to welcome you as our President. You have been called upon to preside over our infant Council, where, as yet, no regular system of party Government has evolved, and so we, who to the official benches are mere irresponsible critics, naturally look up to our President for guidance and tolerance. And, Sir, our welcome to you is not a mere formal matter, for in the words of the poet I might say: "trailing the clouds of glory and love you come." We in the orient are prone to look into the family traditions of a man and in you, Sir, we find the son, the worthy son of our dear late Sir Henry Cotton, one of the Presidents of the Indian National Congress and as such one of the ardent oppositionists. (Laughter.) And you yourself, Sir, both here and in England, have all along been helpful to the cause of India.

We fully hope, Sir, that all these high traditions and the memorable past would always guide you in the discharge of your duties as the President of our Council.

Babu DEBI PROSAD KHAITAN: As the only Marwari representative present in this House, I think I would be failing in my duty if I do not rise to associate myself with the words of welcome that have been addresed to you this afternoon. Sir, as has already been said, you and your father have been not only well-known in this province, but are recognised throughout India as a sincere friend. You have undertaken the duties of the President of this Council at a time when this province has got to do much spade work, and when the province is suffering from the miseries of unemployment without the redeeming feature of progressive industrialism which is the only relief for the miseries of the people. I hope, Sir, that in this Council, over the deliberations of which you have come to preside at this old age (loud laughter) you will be able to help in the progress and prosperity of this

province, and with your well-known sympathies with us, I feel confident about the success of this Council to attain responsible self-government at no distant date.

SHAH SYED EMDADUL HAQ delivered his speech in Urdu, a translation of which is as follows:—

I am a mufassal member, I am also President of a Union Board. My birthplace is Gauhati. Your father, Sir Henry Cotton, was the Governor of the province where I hail from. How happy we were in those halcyon days. I must congratulate you, Sir, from the core of my heart on the success which you have attained. The post of the Speaker of the Bengal Council has been conferred, and rightly conferred, on you to the utmost satisfaction of the country. The reason is obvious. Your father was a true friend of India—a real, sincere, and devoted friend. He was loved and respected by the Indians. Sir, it is useless for me to recapitulate what other members have said in this direction. Let us hope that in the discharge of the onerous task which has devolved upon you, you will not deflect yourself an inch by any doubt or misgiving, and, under your guidance, we trust we shall be able to rectify ourselves where we err, and achieve our goal in the performance of the duties entrusted to us by our people.

The President's address.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): (GENTLEMEN OF THE COUNCIL,—If the remarks that I now address to you are very brief, you must not think thereby that I am not profoundly touched by the welcome which has been extended to me from all sides of the House. But the duty of a President is to preside, and not to inflict lengthy harangues upon the House. Therefore, as I say, I shall be very brief; but I hope that you, one and all, will understand how very much I appreciate the kind, cordial, and even affectionate words which have been addressed to me this afternoon.

When I think of the length of time during which I have been associated, on personal terms, with some of those who have spoken, it makes me indeed feel that I am really the old man which my friend, Babu Debi Prosad Khaitan imagines me to be. (Laughter.) But it is indeed a very great pleasure to me not only to come back to Calcutta, and see the Reforms in working order, but may I say also this, to come back to see —what strikes me almost instantaneously—how cordial are the relations, how instinct with good feeling, are the relations, between the Europeans in Calcutta and those Indians who associate themselves with the administration. (Hear, hear.) I find in that the most encouraging feature of the situation and long may it continue.

Now, gentlemen, I hope that you will look upon me as the spokesman of the Council. I hope also that you will all remember that it will not be possible for you always to agree with the rulings that I may give; but

whether you agree or not, I hope you will understand that those rulings have to be obeyed. In this chair, which I now have the honour to occupy, many Viceroys have sat to preside over the Legislative Councils of former days. I hope that my association with the Council and my relations with you all will be worthy of the traditions which surround this historic chair.

I want again to thank you all and in particular to assure my worthy friend, Shah Syed Emdadul Haq, that although it is 16 years since I have heard Urdu spoken, I was astonishingly able to understand nearly all that he said.

Now, gentlemen, I have little more to say except to express the hope that when the time comes for me to vacate the chair, the farewell that you will take of me will be as cordial as the welcome which you now give me, for after all the test comes when a man lays down his office and not when he assumes it. (Hear, hear.)

Death of the first President, the late Nawab Sir Syed Shams-ul-Huda, K.C.I.E.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,— I feel a great sense of sorrow in rising to address a few words to you with regard to my old and respected friend the late Nawab Sir Syed Shams-ul-Huda. You have already had an opportunity of expressing your appreciation of his services in this chair. Since then the news of his death has reached us and it becomes our mournful duty to pay a last tribute to his memory. I can remember very well how closely I used to be associated with the Nawab in the old days when I was in Calcutta. There were two things above all which struck me about the Nawab Sahib. One was his extraordinary courtesy, which transcended even the traditional courtesy of the Oriental, and the other was the marvellous command which he possessed over the English language. Well, in those days I do not think that the Nawab Sahib ever contemplated that he would rise to the high offices which he did subsequently fill, but those of us, who worked with him, knew perfectly well that whatever office he might be called upon to undertake, he would fill that office with distinction and credit. Now, a life has been brought to a close, full of public service, full of devoted public service; and an example has been presented which, I hope, not only the members of his community but all in Bengal will remember and will strive to imitate.

I now ask Mr. Deputy-President to say a few words.

Mr. DEPUTY-PRESIDENT: It is with great sorrow that we all have heard of the death of the late Nawab Sir Syed Shams-ul-Huda. I knew him for nearly 35 years that is from the time he was enrolled as a vakil of the Calcutta High Court. In early life he was known as a man of great culture and education. He rose to the highest position open to Indians. He was a member of the Executive Council, he was a High Court Judge

and then became the first President of the Reformed Bengal Legislative Council. As a member of the Bengal Executive Council he was the only Indian in the Cabinet of Government with two Europeans sometimes against him, and so far as we know he always used to carry his point with the assistance and co-operation of that level-headed and sympathetic Governor Lord Carmichael. The late Nawab Sahib was not a sectarian in any sense of the word. He never made any distinction between Hindus and Muhammadans. He was devoid of all class hatred. He was never unreasonable in his demands for the rights and claims of his co-religionists. He never tried to give any unfair advantage to his own co-religionist. In fact he was a gentleman in the highest sense of the word. Such was the man whose death we mourn to-day and I may say it will be difficult for us to find another like him.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: On a previous occasion, on behalf of myself and my colleagues, I joined in a discussion eulogising the services of the late Nawab Sir Syed Shams-ul-Huda, when the announcement of his resignation was made. It is sad to think that only after a few months of his resignation he should have gone and it is all the more sad to think that in him Bengal has lost a real and worthy son. He was a Bengali first and a Muhammadan afterwards. As regards his services to this Council, I think everyone will realize, as experience will show you too, that to fill the post of President for an Indian for the first time in the Reformed Council was not by any means a bed of roses, and I think that all of us must readily admit that the late Nawab Sahib did his best not only to maintain the dignity of the chair which you now occupy, but he was fair to all of us, whether on the official bench or on the opposition. We mourn his loss all the more, because at a time, when in Bengal there is need of men of good and sound judgment, especially among my Muhammadan friends, that he should have been called away. With these words, I beg to associate myself with what has fallen from the chair and Mr. Deputy-President.

Maulvi A. K. FAZL-UL HAQ: It is difficult to conceive with what feelings the members of the Muhammadan community have heard to-day the words of tribute which have been paid to the memory of the late Nawab Sir Syed Shams-ul-Huda. His death, though mourned by all alike, is felt by the Muhammadan members of the Council as a personal loss. He was to us, a true guide, philosopher and friend. This is neither the time nor the occasion to refer to the late Nawab's many-sided public activities, but I feel that I can say, without fear of contradiction, that in the very short time that he filled the chair which you now occupy, he gave abundant proof not merely of his uniform and unfailing courtesy but that high sense of duty and that strict impartiality to all which ought to be the guiding motive in one who fills the exalted office of the President of this Council. I do not wish to take up the time of the Council, but I will only sit down by associating myself

with the words of appreciation which have been shown to the memory of the late Nawab by members of the non-Moslem community, and I hope that his memory will be long cherished by us in the discharge of the responsible duties which we have taken upon ourselves as members of this Council. With these words, I wish to associate myself with the tribute which has been paid to the memory of the late Nawab Sir Syed Shams-ul-Huda.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to associate myself with the words of sorrow and appreciation spoken by those gentlemen who preceded me here. It is not generally known, how great and intimate a friend he was to me. We had been together for over 20 years at the Bar; he and I together resigned our membership of the Corporation of Calcutta, he and I practised together in the High Court; then he was elevated to the Judgeship and became a member of the Executive Council. He distinguished himself by his power, ability, and independence; while with the Bengal Government he was the power behind the throne. In the Council, Sir, he did his work manfully and with strict justice. He differed with us on many occasions, he gave me praise on many occasions. Once he was hard upon me. When he was sick and on leave he came to the lobby to shake hands with me and his eyes were full of tears. That was the man whom we have lost. Let nobody think that he and I were not the best of friends. I cherish the memory of the great and intimate and sincere friend and, therefore, Sir, I associate myself with all that has been said in his favour.

Rai RADHA CHARAN PAL Bahadur: I consider it a great privilege on this occasion to add my tribute to the memory not only of a friend but a distinguished countryman who has shed lustre on the country. About 25 years ago when I first came in contact with him, the Calcutta Corporation, as is generally known especially before Reform days, was the cradle of public life for the people of Bengal, and there I came in contact with Nawab Sir Syed Shams-ul-Huda, and what struck me was not only his ability and his fearless independence, but his public spiritedness which commanded the admiration of all. It was in those days thought, at least to a certain extent, that our Muhammadan friends were, to a certain extent, more or less deferential to the official side, but I may say at once that the example of the Nawab Sir Syed Shams-ul-Huda dispelled that illusion. He was one of those who marched out of the Council Chamber of the Corporation with the celebrated 28, on the passing of that ill-fated measure of Sir Alexander Mackenzie which is about to be consigned to the grave shortly at the hands of the Hon'ble Sir Surendra Nath Banerjea. Well, at that time we who were associated with him were struck by his ability and his fearless independence and public spirit and love of country. Personally, I may say, I came in closer contact with him in the Bengal Government as a member not of the Executive Council, but as an elected

member of this Council, and when he was translated to the upper Council, there the same fearlessness shone forth in all his actions. I observed that I came in contact with him as a member of the Executive Council in charge of the Department of Local Self-Government. I know that he had the department thoroughly in his hands and was practically the master of the situation, but there were no less dominating master in the departments under his control, and they were masters who belonged to the heaven-born service. Although he did not belong to that service the fearless independence and the courage of conviction which he displayed in fighting with the heads of departments, showed the stuff which he was made of. Then we came in contact with him as President of this Council. At times we chafed under his control, but I must say his impartiality and ability in ruling, whether Indian or European, official or non-official, out of order when he found he was contravening the rules, commanded our admiration and esteem. He was a worthy representative of the intelligence and public spirit of his race and we mourn the loss of such a man. So long as the Muhammadan community and the country can produce such men, there is hope for India.

Mr. D. C. GHOSE: There have been many expressions of grief and sorrow at the death of Nawab Sir Syed Shams-ul-Huda in the press and public places but it seems to me that the tribute to the dead would be incomplete if this Council, of which he was the first President, were not to offer to his memory its own special mark of reverence and affection. His work as the first President of this Council will be remembered for the unfailing courtesy, the strict impartiality, and the quiet dignity he always displayed in his dealings with members of this House. As is well known, shortly after he became President, he was attacked by a malady which ultimately proved fatal, but he never for a moment shirked his duty, he laboured on. We here have seen him at close quarters. He laboured on under distress and anxiety, and when at last he found that having regard to the progress of his illness that it was impossible for him any longer to discharge his duties, he resigned. Thus by the cruel hand of fate, his career as the first President of this Council, was prematurely brought to an end. Sir, in mourning the loss we have sustained by his death we can hardly forget the distinguished work he did as a member of the Executive Council of this province. At a time when the admission of Indians into the Executive Council was regarded as an experiment, he rendered services of such a high order as to compel recognition of the claims of our countrymen to positions of power and influence. He has gone to his rest; and it is quite in the fitness of things that to-day, when we meet for the first time after his death, we should remember our common loss and pay our united homage to a gracious and cherished memory.

Maulvi HAMID-UD-DIN KHAN: I have had the honour of travelling the highways and bye-ways of human life, but I have never come

across such a striking personality as the late Nawab Sir Syed Shams-ul-Huda. Highly ambitious in his early life, he entered the Bar of the Calcutta High Court and did justice to his clients. As a member of the old Governor-General's Council he showed his marked ability and did justice to his constituency, and as Executive Council Member of the Government of Bengal, he did his level best to show equality among all communities. As a Judge of the Calcutta High Court he dispensed equal justice between man and man, and as President of the Bengal Legislative Council he remarked in his opening speech in this new Council that he would " hold the balance even " between members. He justified that remark, and held the balance even between non-official members and members of Government. He was, for his consummate ability and integrity of purpose, amply rewarded by Government and we hope and pray that for his deep religious faith and for his catholicity of heart, he will be rewarded with eternal bliss and happiness.

Babu INDU BHUSHAN DUTTA: It is with the sense of deep personal loss and great sorrow that I rise to join in the tribute that has been paid just now. When at the last July session of this Council we recorded a resolution appreciating his great services as President of this Council and prayed for his speedy recovery, we hardly thought that his end was so near, but God's will has been fulfilled and we, mortals, can only express our deep sense of loss. He belonged to my own native district of Tippera, and rising from an insignificant position by dint of sheer merit and strong personality, he rose up to the highest position that it is possible for an Indian to rise up to. His management of the affairs of this Council, his sense of dignity and strict impartiality, gained the respect of all the sections of this House. I with my heart full of sadness, I cannot go on to say anything more.

Rai MAHENDRA CHANDRA MITRA Bahadur: I associate myself with all that has been said by my predecessors this afternoon. I began to love and admire the Nawab Sir Syed Shams-ul-Huda when I met him in a mufussal court. I found him to be a man of strong personality. It struck me at that time that fearlessness was a great virtue in an advocate. Next I found him in the old Council and I noticed that there was no fairer critic than he in the discharge of his responsible duties. He was one of those who spoke from his heart and that was the cause of his rise in position. A great German writer once said from his splendid isolation, that men who speak from their hearts were sure to rise in this world. Sir Syed Shams-ul-Huda was admired by us because he admired us; we loved him because he loved us, and the impression which he has left in our minds will be a permanent one and never fade as long as we live. Peace be to his soul.

Mr. PRESIDENT: I would ask all members to rise in their seats as an expression of their respect to the memory of the late President. [Pause—during which the members rose and stood in silence.]

Mr. PRESIDENT: I am sure that the House would wish that a message of their sympathy should be conveyed to the family of their late President. [Pause.]

The Secretary will please take action accordingly.

Appreciation of the service rendered by the Deputy-President in the absence of the President.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,—I have yet another short speech to make, and this also concerns a very old friend, but happily it is connected with a more cheerful topic. I am sure that we all listened with the greatest possible pleasure to the words which fell from His Excellency the Governor with reference to our friend the Deputy-President of the Council, Babu Surendra Nath Ray. As Babu Surendra Nath Ray himself has said, he and I are very old friends, and not only are we personally very old friends, but I think I can say that there is a very close tie between his family and my family. It goes back to one or two or perhaps it may be three generations. Although I was not surprised, knowing Babu Surendra Nath Ray as I do, at the kindness and public spirit with which he agreed to discharge the duties of President till I was able to arrive, yet I felt that I must take the very earliest opportunity of expressing my sense of personal obligation to him, not only for acting in my place, but for the great public spirit which he has shown throughout the whole of the past year in extremely difficult circumstances. Those of you who have sat under Babu Surendra Nath Ray will be able subsequently to pay your tribute to his services actually in the chair. I am glad, as I have said, to take this opportunity of extending to him a very cordial expression of gratitude for all that he has done on my behalf.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: During the illness of the late President and during the time that the Deputy-President, my old friend, Babu Surendra Nath Ray, has occupied the presidential chair, we not only as members of Government, but as members of this Council have always received from him not only unfailing courtesy but every facility to put our cases before the Council. If an Indian had been appointed to succeed the late Nawab Sir Syed Shams-ul-Huda, I do not know who could have had a better claim to the presidential chair than my friend, Babu Surendra Nath Ray, who has shown much commendable public spirit in the way that he has discharged the duties during a time not only of stress and difficulty in the Legislative Council, but in handling matters delicate to himself as well as to all of us. We wish him in the future all good luck and all the success that he deserves and we assure him that our good wishes go with him now as always.

Rai RADHA CHARAN PAL Bahadur: I join with you and the Hon'ble the Maharajadhiraja Bahadur of Burdwan in associating myself in expressing our deep obligation to Babu Surendra Nath Ray for having conducted the duties of the high office, which you are now occupying, with such conspicuous ability, but I must say that I feel greater pleasure in welcoming him back in our midst. He was practically lost to us during the last six or eight months. He has been the elect of the people and as such has shown remarkable public spirit, independence, and ability in fighting the battles of the country, but during the last few months he has had to occupy the chair where he had been sitting like the celebrated God *Saligram.* (Laughter.) He was, I am sure, almost under restraint because he had his own views which he put forward with great effect, but the restraint was placed on him, and he could not say a word one way or the other. I felt great commiseration for him at that moment. (Laughter.) Nevertheless we all feel grateful to him for the ability and impartiality with which he discharged his duties, and I am sure that in expressing our gratitude to him, we are all expressing the hope that he will not, for some time at least, again resume the chair which he has so long occupied, because we want him, at least for the next few months the Council will last, to fight the battles of the people with which he is charged.

Babu INDU BHUSHAN DUTTA: I heartily join with you, Sir, in expressing my hearty appreciation of the services of our esteemed friend, Babu Surendra Nath Ray. Immediately after his election as Deputy-President of this Council, he gave us a noble example of self-sacrifice and public spirit by foregoing the salary that the Council had fixed for him. As first Deputy-President, he has set an example which I hope his successors will follow. Owing to the continued illness of our late President, he was called upon to fill this high office, and he was not found wanting either in ability, tactfulness or generosity. Month after month, he performed these onerous duties without remuneration, without any thought or prospect of future permanency. Through sunshine and rain, he has always been at his post. As a non-official member of this Council, I can honestly say that we always found him invariably courteous, tactful, and obliging. I see that my friend is blushing; so I do not wish to add any further to his blushes. I only wish to say this, that as a member of the small opposition party, I invite him to join us after his short official career. (Laughter.)

Rai MAHENDRA CHANDRA MITRA Bahadur: I shall finish in a few words. Babu Surendra Nath Ray as Deputy-President of this Council has discharged his duties with firmness and courage—and I wish to say emphatically—with great courage, and, therefore, we all appreciate what he has done.

Mr. PRESIDENT: BABU SURENDRA NATH RAY,—I am very glad to convey to you the very cordial thanks of this Council for the great services which you rendered.

Babu SURENDRA NATH RAY: I have to thank you and the other members of this Council. I am much obliged for the kind words which they have given expression to.

Mr. PRESIDENT: It may be for the convenience of the House if I state at the outset the manner in which I propose to deal with certain points of procedure. For the present, and until at any rate I have had the opportunity of becoming better acquainted with all the members, I propose to retain the list of intending speakers. At the same time I wish to make it perfectly clear that members will not necessarily be called upon because their names happen to be on the list of intending speakers, nor will they be called upon in the particular numerical order in which they appear in that list. I shall be glad also if members will bear in mind that they will only be called upon to speak if they rise in their places.

Panel of Chairmen.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,—In accordance with the provisions of rule 3 of the Bengal Legislative Council Rules the following members are nominated to form a panel of four chairmen:—

Sir Asutosh Chaudhuri,
Mr. R. H. L. Langford James,
Rai Radha Charan Pal Bahadur, and
Maulvi A. K. Fazl-ul Haq.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Council during my absence and in the absence of the Deputy-President.

Starred Questions

(to which oral answers were given).

Pay of the District Board Engineering Staff.

*1. **Mr. S. M. BOSE:** (*a*) With reference to the various memorials and representations from the District Board Engineering Association, Bengal, submitted to the Government, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(i) whether it is a fact that the District Board Engineering staff have not been given any increment of pay at all;

(*ii*) whether it is also a fact that the district boards in Bengal have given increments to all other staffs except the Engineering staff; and

(*iii*) whether it is a fact that a difficulty was created by notification No. L.S.-G. 3334 of the 20th December, 1901, fixing the scale of pay of the Engineering Department under the district boards but though this notification was withdrawn, the district boards are unwilling to take the initiative?

(*b*) Is the Hon'ble the Minister aware of a feeling of discontent amongst the District Board Engineers owing to the delay in the matter of revising their pay?

(*c*) If so, what action, if any, are the Government contemplating taking in the matter?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): (*a*) (*i*) and (*ii*) Scales of pay of District Engineers and the Subordinate Engineering staff have been revised by some district boards while others are opposed to any increase of pay being granted. The pay of their other staff has either been revised or the staff granted temporary allowances by a majority of the district boards.

(*iii*) The notification referred to has been modified in respect of District Engineers and a similar modification in respect of the subordinate staff in under consideration. In view of their slender resources, some of the district boards are unwilling to incur further expenditure by increasing the pay of their Engineering staff.

(*b*) The Minister believes that such a feeling exists among the District Engineers.

(*c*) A copy of Government Circular No. 51-55 T/L.S.-G., dated the 6th May, 1922, is laid on the Library table.

Additional Munsif's Court.

*11. **Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether the Government contemplate making the Additional Munsif's Court, Balurghat, in the district of Dinajpur, permanent and of acquiring land for his quarters?

(*b*) What is the present condition of the Deputy Superintendent of Police's bungalow at Balurghat?

(*c*) Is it not possible to utilize the same for the purpose of Additional Munsif's quarters?

(*d*) Is it a fact that big plots of Government lands at Balurghat are lying unutilised?

(*e*) If so, have the Government considered whether it is possible to build a suitable bungalow for the Additional Munsif without acquisition of new land?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-urRahir): (*a*) Government contemplate making the Additional Munsif's Court at Balurghat permanent, but the proposal to acquire land has been held in abeyance.

(*b*) Satisfactory.

(*c*) The proposal is under consideration.

(*d*) No; there is only one unoccupied plot which is retained as an open space.

(*e*) The question does not arise, *vide* answer to (*c*) above.

Lease of arable lands in Sunderbans to capitalists.

***III. Rai HARENDRANATH CHAUDHURI:** With reference to the reply given to starred question No. XIX put by me on the 23rd August, 1922, will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the cost of reclamation, erection and maintenance of embankments and the grant of takavi loans involve capital outlay?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): The reply is in the affirmative; but under the present system Government provide the necessary capital by erecting and maintaining the major embankments, by allowing a rent-free term to the tenants and by granting takavi loans when necessary.

Appointment of members of Council as "ex-officio" members of district boards.

***IV. Dr. JATINDRA NATH MOITRA:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what action has been taken to ascertain the views of the district boards and other public bodies generally on the resolution asking for the appointment of the members of the Legislative Council to be *ex-officio* members of the district boards within their own constituencies and what replies have been received?

(*ii*) what modifications, if any, of the existing rules of the district boards, are necessary to give effect to that resolution?

(*iii*) when will it be possible for the Hon'ble the Minister to make an announcement on the subject?

Mr. S. W. COODE: (*i*) The views of the district boards have been obtained. Eight district boards approved the resolution passed in the Legislative Council. The Murshidabad district board makes its approval conditional on the number of elected members of the board being increased while the Faridpur local board is of opinion that travelling allowances should not be paid from the district fund to members of the Legislative Council who may sit *ex-officio* on the district board. The views of the district board of the 24-Parganas have not been received. Sixteen district boards are opposed to the proposal. The Birbhum and Bankura district boards would be prepared to invite members of the Legislative Council to attend their meetings and to join in their deliberations, but do not think that they should enjoy the other privileges of members of the board.

(*ii*) In order to place members of the Legislative Council on the district boards, it will be necessary for Government to nominate them, either by curtailing the nominations of other persons who are not members of the Council, or by increasing the size of the district board.

(*iii*) A reference is invited to the statement placed in the lobby regarding the resolution.

Travelling allowances of Government servants.

*V. **Dr. JATINDRA NATH MOITRA:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing—

(*i*) the total sum spent by the Bengal Government in each of the years 1919, 1920 and 1921 for meeting the travelling allowance bills of all their servants;

(*ii*) the department in which this cost was the highest in proportion to the numerical strength;

(*iii*) the names and official designations of those whose travelling allowance bills exceeded 50 per cent. of their pay in any of the above years; and

(*iv*) the names and official designations of those whose travelling allowance bills were Rs. 1,000 a month and over during any of these years?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*i*) The figures are as follows:—

1919-20—Rs. 32,16,630.

1920-21—Rs. 35,75,154.

1921-22—Rs. 41,33,317.

(*ii*), (*iii*) and (*iv*) To answer these sections would involve in the case of (*ii*) elaborate calculations, and in the case of (*iii*) and (*iv*) an examination of all the travelling allowance bills drawn during these years by all the officers subordinate to Government. The labour involved, Government consider, would not be justified by the importance of the results obtained.

Supply of quinine to malarial districts.

***VI. Mr. BIJOYPROSAD SINGH ROY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government are considering the desirability of supplying prophylactic doses of quinine to the people in the malarial districts for the prevention of attacks from malarial fever?

(*b*) If the answer to (*a*) is in the affirmative, when are the Government going to order the supply?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble the Minister be pleased to state the reasons why they do not propose to take any action in this respect?

Mr. S. W. COODE: (*a*) and (*b*) Government are anxious to make quinine available to the public in adequate doses. For some years past grants-in-aid from provincial revenues have been granted to local bodies and private hospitals and dispensaries for the purchase of quinine and cinchona febrifuge, the grants-in-aid varying directly with the number of malaria patients treated in each institution. In the current year it has been decided to base grants-in-aid on the amounts paid by local bodies from their funds for the distribution of quinine and cinchona febrifuge. It is hoped that this new system will have the effect of encouraging local bodies to incur a larger expenditure on this account.

(*c*) The question does not arise.

Supply of Government quinine for malarial patients of Burdwan.

***VII. Mr. BIJOYPROSAD SINGH ROY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of patients suffering from malarial fevers attending the dispensaries and hospitals in the district of Burdwan; and

(*ii*) the total amount of quinine and cinchona annually supplied to these dispensaries and hospitals?

(*b*) Has the supply been found sufficient to meet the requirements of these patients?

(*c*) Will the Hon'ble the Minister be pleased to state how this supply of quinine and cinchona is obtained by these dispensaries?

Mr. S. W. GOODE: (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*b*) The supply is said to have been generally sufficient.

(*c*) By indent on the Juvenile Jail in the case of the quantity supplied by the dispensary. The Government grant was received direct from the Public Health Department.

Statement referred to in the reply to clauses (a) (i) and (ii) of starred question No. VII, showing the dispensaries and hospitals in the Burdwan district under Government supervision, number of malarial fever cases attended and quinine and cinchona febrifuge supplied to the dispensaries during 1921,

No.	Name of the charitable dispensaries in Burdwan district under Government supervision.	Number of patients suffering from malarial fever (1921).	QUANTITY OF QUININE AND CINCHONA FEBRIFUGE SUPPLIED BY DISPENSARY AUTHORITIES AND BY GOVERNMENT.			
			SUPPLIED BY DISPENSARY AUTHORITIES.		SUPPLIED BY PUBLIC HEALTH DEPARTMENT.	
			Quinine.	Cinchona febrifuge.	Quinine.	Cinchona febrifuge.
1	2	3	4	5	6	7
			lb. oz.	lb. oz.	lb. oz.	lb. oz.
1	Adra ...	17,434	6 0	24 0	5 0	20 0
2	Agradwip ...	2,125	Figures not available		1 8	6 0
3	Amarpur ...	5,140	2 0	...	1 8	6 0
4	Asansol ...	2,064	3 8	...	1 8	6 0
5	Auagram ...	8,829	5 0	...	4 0	16 0
6	Bhatar ...	2,576	7 0	12 0	1 8	6 0
7	Burdwan Fraser Hospital.	10,687	18 0	...	10 0	40 0
8	Chagram ...	5,689	6 0	....	2 8	10 0

No.	Name of the charitable dispensaries in Burdwan district under Government supervision.	Number of patients suffering from malarial fever (1921).	QUANTITY OF QUININE AND CINCHONA FEBRIFUGE SUPPLIED BY DISPENSARY AUTHORITIES AND BY GOVERNMENT.			
			SUPPLIED BY DISPENSARY AUTHORITY.		SUPPLIED BY PUBLIC HEALTH DEPARTMENT.	
			Quinine.	Cinchona febrifuge	Quinine.	Cinchona febrifuge.
1	2	3	4	5	6	7
			lb. oz.	lb. oz.	lb. oz.	lb. oz.
9	Chakudighi ...	4,988	14 0	14 0	2 8	10 0
10	Damhat ...	2,582	3 0	...	2 8	10 0
11	Jamna ...	7,565	3 0	...	5 0	20 0
12	Kaigram ...	5,756	4 0	6 0	2 8	10 0
13	Kakuha ...	7,849	8 0	8 0	3 0	12 0
14	Kalna Mission ...	7,138	12 0	65 0	4 0	20 0
15	Kanchannagar ...	4,026	3 0	...	2 8	10 0
16	Katwa ...	4,605	2 0	10 0	3 0	12 0
17	Ketugram ...	5,660	2 0	...	2 8	10 0
18	Khandaghosh ...	7,824	4 0	10 0	2 8	16 0
19	Kulingram ...	5,573	6 0	4 0	2 8	10 0
20	Mehata ...	5,168	4 0	...	2 8	10 0
21	Meral ...	6,330	4 0	2 0	2 8	10 0
22	Mangalcot ...	7,314	4 0	10 0	2 8	10 0
23	Nundipur ...	2,172	14 0	20 0	1 8	6 0
24	Palla ...	4,638	6 0	10 0	2 8	10 0
25	Panchara ...	3,865	4 0	...	2 8	10 0
26	Purbasthali ...	7,429	9 0	12 0	2 8	10 0
27	Raniganj ...	1,130	1 0	...	1 0	4 0
28	Satgachia ...	7,243	...	...	2 8	10 0
29	Sultanpur ...	5,544	8 0	12 0	2 8	10 0
	Total ...	1,68,934	162 8	219 0	82 8	334 0

Outbreak of cholera at Midnapore.

***VIII. Babu DEBENDRA LAL KHAN:** (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that in the last summer a virulent type of cholera broke out at Midnapore?

(*b*) Will the Hon'ble the Minister be pleased to state—

(*i*) the number of seizures in the town; and

(*ii*) the number of deaths that resulted therefrom?

(*c*) Has the attention of the Hon'ble the Minister been drawn to the opinion that has been expressed that the want of any provision for the supply of pure drinking water in the town was the cause of this outbreak?

Mr. S. W. COODE: (*a*) The answer is in the affirmative.

(*b*) (*i*) and (*ii*) There were 268 attacks and 93 deaths during the period, from the 16th May to the 8th July, 1922. The town has been reported free from cholera since the 17th July, 1922.

(*c*) Midnapore shared in the general drought before the monsoon broke. The local scarcity of good water undoubtedly led to people using unsafe water and so starting and propagating the epidemic. As a result of a personal visit to the town and a bacteriological examination of the water supplied by the water-works, the Director of the Public Health Laboratory advised chlorination of the reservoir water before distribution.

Political prisoners in Barisal Jail.

***IX. Kumar SHIB SHEKHARESWAR RAY:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to lay on the table a statement showing—

(*i*) the daily average of the number of political prisoners in the Barisal Jail in the months of May, June and July, 1922; and

(*ii*) the number of such prisoners punished in each of the said months with one or more of the following punishments:—

(*1*) imprisonment under section 52 of the Prisons Act,

(*2*) whipping,

(*3*) bar fetters,

(*4*) handcuffing behind or to a staple,

(*5*) separate cellular or solitary confinement,

(*6*) handcuffing and link fetters,

(*7*) gunny clothing, and

(*8*) penal diet?

(*b*) Is it a fact that some political prisoners were punished with handcuffing to a staple much higher than the level of the shoulder (as prescribed in the Jail Code)?

(*c*) Is it a fact that under the orders of the Jail Superintendent one Dhirendra Nath was confined in a cell while suffering from diarrhœa and was also given bar fetters at that time?

MEMBER in charge of DEPARTMENT of REVENUE (JAILS) (the Hon'ble Mr. H. L. Stephenson): (*a*) (*i*) May—121·00; June 98·77; July 88·39.

(*ii*) The total number of the punishments specified inflicted during the months indicated were—

May—18; June—146; July—121.

(*b*) No.

(*c*) It is reported that Dhirendra Nath had diarrhœa for which he was treated, but it was not serious enough to record in the prisoner's history sheet or any other jail record. The date, therefore, cannot be ascertained and it is accordingly not known if he was wearing bar fetters at the same time.

Decline of Hindu population of Bengal.

***X. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what is the actual number of births and deaths of Hindus and Muhammadans, respectively, in this presidency for the last ten years?

(*b*) Is it a fact that the Hindu population all over the province is not keeping pace with the Muhammadan population?

(*c*) Have the Government investigated the reasons for this?

Mr. S. W. GOODE: (*a*) Births are not returned according to religion and the figures cannot, therefore, be given. The mortality of Hindus and Mussalmans during the past decade is as follows:—

Hindus	...	...	6,471,712
Muhammadans	...	...	7,479,742

(*b*) It is a fact that during the past decade Hindus have declined by 191,505 or nearly 1 per cent., whereas Mussalmans have increased by 1,218,889 or nearly 5 per cent. The population of the two communities in 1911 and 1921 was as follows:—

Hindus: 1911—20,363,493; 1921—20,171,988.

Mussalmans: 1911—23,984,621; 1921—25,203,510.

(*c*) The Census Officer will discuss this question in his report. The explanation of the Director of Public Health is that Mussalmans form the bulk of the population in Eastern Bengal where agriculture is in a relatively prosperous condition owing to the abundant rainfall and copious inundations, which at the same time serve as efficient preventives of malaria. The population in Eastern Bengal has increased by nearly 70 per cent. since 1872, whereas in Western Bengal, where Hindus predominate, the increase is only about 5 per cent. In Mymensingh the increase has been over 100 per cent. in 49 years, while in many districts of the Burdwan and Presidency divisions there has been an actual decline.

These facts, in the opinion of the Director of Public Health, afford a sufficient explanation of the decline of the Hindu population and the increase of the Mussalmans, but there are other factors also, such as child marriage, widow remarriage among Muhammadans and dietary, which have some influence.

Overseas allowances.

***XI. Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state—

(*i*) when the system of granting overseas allowance was first introduced in Bengal;

(*ii*) the regulations or notifications under which the same was sanctioned; and

(*iii*) whether such allowance is payable to any Indian officers?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing—

(*i*) the names and ranks of the Indian officers, if any, who have been the recipients of such allowance;

(*ii*) the amount thereof; and

(*iii*) the services to which those Indian officers belong?

(*c*) What is the total increase in public expenditure by reason of the granting of such overseas allowance to the various Indian officers?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) and (*b*) Two statements are laid on the table.

(*c*) The distinction between overseas pay and other pay was introduced when the scale of salaries was revised. The saving involved if overseas pay had not been given to Indian officers now in the service would be Rs. 8,675 per mensem at the present time.

Statement referred to in the answer to starred question No. XI.

A

Name of Service	Date from which the overseas allowance was first drawn.	Orders under which the overseas allowance was sanctioned.	Indian officers permitted to draw the overseas allowance.
Indian Civil Service.	1st December 1919.	Government of India, Home Department Resolution No. 286, dated the 13th February, 1920	All Indian officers in the Indian Civil Service on the 1st December, 1919, as well as those Indian candidates selected at the Open Competitive Examination of 1919, and all those selected or to be selected at the five succeeding Open Competitive Examinations.
Indian (Imperial) Police Service.	1st January, 1920.	Government of India, Home Department letter No. 196-Police, dated the 31st January, 1920; Finance Department Resolution No. 1559-E A., dated the 16th August, 1921, and Home Department letter No. 1500-Police, dated the 5th July, 1921.	All Indian officers in the Indian (Imperial) Police Service on the 1st January, 1920, and all such officers recruited from candidates with war service.
Indian Forest Service *	1st December, 1919.	Government of India Revenue and Agriculture Department, Circular No 580, dated the 29th May, 1920.	All Indian officers in the Indian Forest Service or in training as probationer on the 1st December, 1919.
Indian Educational Service	Ditto ...	Secretary of State's Despatch No 169-Public, dated the 27th November, 1919.	All Indian officers who were members of the Indian Educational Service prior to the 1st December, 1919.
Indian Agricultural Service.	Ditto ...	Government of India, Revenue and Agriculture Department, Resolution No. 665—131-3, dated the 10th June, 1920.	All Indian officers who were members of the Indian Agricultural Service on the full scale of pay prior to the 1st December, 1919.
Indian Veterinary Service.	Ditto ...	Government of India, Revenue and Agriculture Department, Circular No. 1363, dated the 25th August, 1920.	All Indian officers who were members of the Indian Veterinary Service on the full scale of pay prior to the 1st December, 1919.

* The allowance has been consolidated in the pay of officers of the Indian Forest Service and the names of officers whose pay was raised have not been included in the list marked B.

Name of service	Date from which the overseas allowance was first drawn.	Orders under which the overseas allowance was sanctioned.	Indian officers permitted to draw the overseas allowance.
Indian Service of Engineers.	1st January, 1920.	Government of India, Public Works Department, Resolution No. 264-E A., dated the 6th May, 1920.	All Indian officers recruited in England for the Indian Service of Engineers by the Secretary of State under the 10 per cent. rule up to and including the year 1924.
Indian Medical Service.	1st January, 1920.	Government of India, Home Department, Resolution No. 206, dated the 3rd March, 1921.	All Indian officers permanently appointed to the Indian Medical Service prior to the 1st December, 1918. Those officers, whose previous temporary service reckons from a date prior to the 1st December, 1918, are also eligible for the allowance from the date of their permanent appointment to that service.

List of Indian officers who are now in receipt of the overseas allowance referred to in the reply to starred question No. XI.

B

Name of the officer.	Rank	Amount of overseas allowance.
	Indian Civil Service.	Rs.
Mr. Satis Chandra Mukherjee ...	Commissioner of Excise and Salt	250
,, P. E. Cummiade ...	District and Sessions Judge ...	250
,, Satyendra Chandra Mallik ...	Ditto ...	250
,, Gyanendra Nath Roy ...	Ditto ...	250
,, Sarat Kumar Ghose ...	Ditto ...	250
,, Mahim Chandra Ghosh ...	Ditto ...	250
,, Guru Saday Dutt ...	Magistrate and Collector ...	250
,, Probodh Chandra De ...	District and Sessions Judge ...	250
,, Benegal Narsinga Rau ...	Ditto ...	250
,, Birendra Kumar Basu ...	Ditto ...	200
,, Satyendra Nath Roy ...	Ditto ...	200
,, Sudhindra Kumar Haldar ...	Joint Magistrate and Deputy Collector.	200
,, Satyendra Nath Modak ...	Ditto ...	150
,, Jnanankur De ...	Ditto ...	150
,, Satyendra Nath Gupta ...	Ditto ...	150
Hon'ble Sushil Kumar Sinha ...	Ditto ...	150
Mr. Kamal Chunder Chunder ...	Ditto ...	150
,, Chaudhuri Nanak Chandra ...	Assistant Magistrate and Collector.	150

Name of the officer.	Rank.	Amount of overseas allowance.
	Indian Police Service.	
		Rs.
Mr. Tuni Meerza	... Superintendent of Police ...	250
Rai Purna Chandra Lahiri Bahadur	Deputy Commissioner of Police, Calcutta.	250
Mr. E. S. C. Sen	... Assistant Superintendent of Police.	125
	Indian Educational Service.	
Mr. J. C. Coyajee	... Professor, Presidency College, Calcutta	250
Dr. P. D. Shastri	... Ditto ...	250
Mr. B. C. Gupta	... Professor, Bengal Engineering College, Sibpur.	250
„ B. M. Sen	... Attached to Dacca University ...	200
„ K. Zachariah	... Ditto ...	200
Rai B. N Das Bahadur	... Officiating Principal, Intermediate College, Dacca	150
Mr. M. Ghose	... Professor, Presidency College, Calcutta.	150
„ S. C. Mahalanabis	... Ditto ...	150
Rai P. K Bose Bahadur	... Inspector of Schools, Burdwan Division	150
Mr. K B Ahsanullah	... Inspector of Schools, Chittagong Division	150
„ P. C. Mahalanabis	... Professor, Presidency College ...	150
	Indian Service of Engineers.	
	(Under the Irrigation Department)	
Mr. S. C. Majumdar	... Executive Engineer ..	250
„ B. L. Subarwal	... Assistant Engineer ...	200
„ A. S. Ramalingam	... Ditto ...	150
	Indian Medical Service.	
Major D. P. Goil	... Civil Surgeon, Rajshahi ...	250
„ S. C. Chuckerbutty	... Superintendent, European Lunatic Asylum, Ranchi.	250
„ B. N. Chopra	... Professor, School of Tropical Medicine, Calcutta.	250
„ K. S. Thakur	... (On leave)	250
„ S. C. Pal	... Civil Surgeon, Chittagong ...	250
Captain J. C. De	... Resident Medical Officer, Medical College Hospital, Calcutta.	200
S. N. Mukherji	... Ditto ...	200

Proposed Midnapore water-works.

***XII. Babu DEBENDRA LAL KHAN:** (*a*) Is the Hon'ble the *Minister in charge of* the Department of Local Self-Government aware that the Midnapore municipality has already raised a large sum of money from the public for establishing a water-works system in the town?

(*b*) If so, will the Hon'ble the Minister be pleased to lay on the table a detailed statement of the money thus obtained from the public as well as from the Government, if any, and the manner in which it has been spent?

(*c*) Is it a fact that a large sum of this money raised exclusively for water-works purposes has already been spent by the municipality for purposes otherwise than the water-works scheme?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble the Minister be pleased to state the amount thus spent and the manner in which it has been spent?

(*e*) Will the Hon'ble the Minister be pleased to state what action, if any, has been taken or what action it is proposed to take in regard to the municipality?

Mr. S. W. COODE: (*a*) The Midnapore municipality raised Rs. 66,640-8-0 only from the public for the water-works scheme.

(*b*) In addition to the public subscription mentioned in reply to clause (*a*) above the municipality received also the sums noted below:—

Government grant—Rs. 2,23,000,

Loan from Government—Rs. 1,00,000,

District board contribution—Rs. 50,000,

and the undermentioned table shows how the money was spent—

	Rs.	A.	P.
Made over to Chief Engineer, Public Health Department ...	4,13,000	0	0
Made over to Chief Engineer, Public Health Department, for preparation of plans, etc. ...	9,854	1	1
Miscellaneous expenses in acquisition of lands, etc. ...	3,086	11	1
Total ...	4,25,940	12	2

(*c*) and (*d*) About Rs. 10,000 has been diverted and expended for the general purposes of the municipality.

(*e*) The general assessment is being revised. With the increase in income, which is anticipated from this revision, the Commissioners propose to make good the amount diverted from the water fund.

Clinical appointments to Medical College, Campbell Medical School and Hospitals.

*XIII. **Dr. HASSAN SUHRAWARDY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that a number of clinical appointments are going to be added—

(*i*) to the Medical College; and

(*ii*) to the Campbell Medical School and Hospitals?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state whether it is contemplated to fill up these posts by appointing Government servants to them?

(*c*) Will the Hon'ble the Minister be pleased to state whether such a step will entail an increase in the cadre of the Assistant Surgeons and Sub-Assistant Surgeons?

(*d*) If so, how many posts will be added to the cadre?

Mr. S. W. COODE: (*a*) (*i*) It is proposed to create two additional appointments on the Medical College staff for Civil Assistant Surgeons.

It was also proposed to create four additional posts of Clinical Lecturers to be held by Assistant Surgeons. The financial position at present prevents these new appointments being made, although it was intended temporarily to take in officers from the sanctioned leave reserve and not to fill up that reserve, unless the experiment after a year was held to be a success.

(*ii*) An Assistant Teacher of Clinical Surgery has recently been appointed at the Campbell Hospital, the post being added to the cadre of Assistant Surgeons.

An Honorary Physician has also been appointed as a Clinical Teacher at the Out-Patients Department of that Hospital, dealing with diseases of the nose, ear and throat.

(*b*), (*c*) and (*d*) In connection with the proposed appointment at the Medical College, it was not intended at present to increase the cadre of Assistant Surgeons and Sub-Assistant Surgeons; the whole

question would come under consideration at the end of 1923, but as already stated the above proposals are held in abeyance in view of the financial stringency, since they would involve expenditure after 1923.

Hooghly Imambara.

*XIV. **Mr. SYED ERFAN ALI:** (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Education been drawn to the present condition of the Hooghly Imambara?

(*b*) Is the Hon'ble the Minister aware that since the retirement of Nawabzada Syed Ashrafuddin Ahmed, Khan Bahadur, from the mutawalishíp, the buildings have fallen into disrepair, particularly the monument and the historic house of the Bara Imambara?

(*c*) Is it a fact that the *wakfnama* of the late Haji Muhammad Mohsin requires that there should be at least two qualified Mutawalis for the trust property?

(*d*) What are the qualifications of the present Mutawali or Mutawalis?

(*e*) Is the Hon'ble the Minister aware that many of the buildings in the Imambara are lying untenanted?

(*f*) Is the Hon'ble the Minister aware that the chief reasons for these buildings lying untenanted are that they are in a dilapidated condition and that exorbitant rents are being demanded?

(*g*) Who is the present Dewan or Superintendent of the office?

(*h*) What other work does he do besides holding this post? If so many hours a day does he give to the affairs of the Imambara?

(*i*) Who is the person at present in charge of the legal business of the Imambara, and what are his qualifications?

(*j*) Is the Hon'ble the Minister aware that cases of litigation are on an increase in the Imambara? If so, what is the reason for this?

(*k*) Is the Hon'ble the Minister aware of a tension of feeling between the tenants of the Imambara and the Mutawalis?

(*l*) Is the Hon'ble the Minister aware that the garden attached to the mausoleum of the late Haji Muhammad Mohsin and his family has been leased out to one of the *mutis* and is at present in a ruinous state?

(*m*) Is the Hon'ble the Minister aware—

(*i*) that the office of the Board of Trustees is not located at Hooghly.

(*ii*) that no local men are represented on the Board; and

(*iii*) that in a recent civil suit the Board of Trustees gave an assurance that half the number of trustees will be chosen from Muhammadans of the locality?

(*n*) Are the Government considering the desirability of appointing a committee to inquire into the present management of the Imambara and to make suggestions to Government for its improvement?

(*o*) Is there any objection to the Magistrate of the district being appointed one of the Mutawalis of the Imambara for the administration of the secular matters relating to the Imambara, with a sufficient remuneration for the performance of these duties?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) and (*b*) The Executive Engineer, Burdwan Division, reports that the condition of the Imambara buildings is bad and in some cases dangerous. His reports have been forwarded to the Commissioner of the division with the request that the matter may be brought to the notice of the Committee of Management.

The Mutawali states that the Bara Imambara, a separate *wakf* with no appreciable funds, which came under the control of the Mohsenia Imambara during the late Maulvi Syed Karamat Ali's mutawalishup, has continued to be repaired annually since the retirement of Nawabzada Syed Ashratuddin Ahmed, Khan Bahadur. As regards the monument of the Bara Imambara, he states that no monument appears to exist or has been constructed since the Bara Imambara was founded; the building attached to the Bara Imambara is said to have been thoroughly repaired in recent years by the tenant out of the accumulated arrears of rent due from him to the Imambara.

(*c*) The *wakfnama* does not clearly lay down that there shall always be two Mutawalis, although the *wakif* appointed two in his own lifetime; but in 1818 the Board of Revenue, under Regulation XIX of 1910, dismissed the Mutawalis and appointed in their place a Superintendent. The Board's action stood the test of an appeal to the Sadar *Dewani Adalat* by the son of one of the dismissed Mutawalis (in 1836). Since 1818, there has only been a single Mutawali.

(*d*) The present Mutawali was an assistant in the British Agency at Bagdad for about 15 years.

(*e*) and (*f*) The Mutawali reports that no portion of the building attached to the Imambara is lying untenanted with the exception of 4 small godowns attached to the Imambara *hat* which have recently fallen vacant. The rent is said to have been raised as the municipal taxes which are paid by the Imambara were increased; the Mutawali states that the rents are in accordance with the rates prevalent in Hooghly.

(*g*) Syed Afzal Ali.

(*h*) It is reported that he is a Civil Court clerk under the Collector of Hooghly. He works as a Dewan in the Imambara office in the morning up to 10 A.M. and also attends in the evening whenever necessary.

(*i*) The Mutawali reports that Munshi Ataur Rahman, a local man, was selected from four or five candidates and that he was successful at the examination conducted by the late Mutawali. He is said to have a working knowledge of law.

(*j*) The Mutawali reports that there has been some increase in litigation, due partly to the institution of some ejectment suits against tenants refusing to pay additional rents for lands encroached upon, and partly to the institution of some rent suits against defaulting tenants.

(*k*) It is said that no such feeling exists, except as between the Mutawali and the tenant of the building attached to the Bara Imambara against whom a suit has been instituted and decreed.

(*l*) The Mutawali states that the garden attached to the tomb of the memorable late Haji Muhammad Mohsin and his family is not leased out to the *mali;* he reports that the fruit-trees are leased to the highest bidder and that the garden is neatly kept.

(*m*) (*i*) The Mutawali reports as follows:—

The office of the Board has been located in Calcutta since its creation, but meetings are sometimes held at the Mohsenia Imambara.

(*ii*) One of the members—Sahibzada Gholam Hossain Shah—is said to own property in the Hooghly-Chinsura Municipality. The other member Syed Muhammad Kazim has a family dwelling-house and some land in Chinsura. Both these gentlemen are said to be frequent visitors to Hooghly.

(*iii*) The Mutawali denies that any such undertaking was given.

(*n*) Apart from other reasons, in view of the fact that the Muhammadan public did not consider it necessary to take steps that they were entitled to take if they were really dissatisfied with the administration by the present Committee of Management and the Mutawali, Government, as at present advised, do not propose to appoint any Committee of the nature suggested.

(*o*) The practice of having two Mutawalis has lapsed, while section 22 of Act XX of 1863 forbids any officer of Government in his official capacity from taking any part in the management or appropriation of any endowment made for the maintenance of a mosque or other religious establishment.

Travelling allowance charges of Government officials.

*XV. **Rai NIBARAN CHANDRA DAS GUPTA Bahadur:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) the total amount that was spent in the year 1920-21 over "travelling allowances," "halting charges," and "mileage," etc., of the various officers under the Government of Bengal; and

(*ii*) the proportion the amount referred to in (*i*) bears to the amount spent over their "salaries," "personal allowances," "house allowances" and so forth?

The Hon'ble Mr. J. DONALD: (*i*) Approximately Rs. 36 lakhs.

(*ii*) One-sixth.

North Bengal floods and Railway embankments.

***XVI. Babu FANINDRALAL DE:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the steps that have been or are being taken to meet the distress and to repair the devastation caused by the recent floods in the districts of Rajshahi, Bogra and Pabna?

(*b*) Is the Hon'ble the Member aware that there is a strong body of opinion that the floods were due to there not being sufficient openings in the Railway embankments both in the main line of the Eastern Bengal Railway and in the line of the Sara-Sirajganj Railway for natural flow of water over the area concerned and for the passage of flood or excess water?

(*c*) Will the Hon'ble the Member be pleased to say whether Government are considering the advisability of communicating with the Railway Board, the Government of India, and the Railway Company concerned in the matter of making a larger number of culverts and openings in the embankments?

(*d*) Have the Government taken any steps with a view to devise methods for avoiding similar floods in Bengal in future?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The member is referred to the Press *Communiqué* dated the 9th November, 1922.

(*b*) Yes.

(*c*) and (*d*) Government have not taken the exact line of action indicated by these questions but they have determined to appoint a small committee of official and non-official experts to inquire into and report on the causes of the floods in the Rajshahi Division and to suggest remedies for the same. The particular attention of the committee will be directed to an inquiry into the effect of the railway embankments on the natural drainage of the country. The Railway Board have also, since the publication of the Government *communiqué* issued a *communiqué* on the subject indicating the action which they propose to take themselves.

River Police in Eastern Bengal.

***XVII. Mr. J. A. DeLISLE:** (*a*) Is the Hon'ble the Member in charge of the Police (River Police) Department aware that a persistent rumour has been current for some time to the effect that the abolition of the River Police in Eastern Bengal is contemplated by, and is under the consideration of, Government?

(*b*) Will the Hon'ble the Member be pleased to state whether there is any foundation for this report?

(*c*) Will the Hon'ble the Member be pleased to state whether the question of the annual expenditure on the River Police has been made a subject of special or only general reference to the Retrenchment Committee?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) and (*b*) Attention is invited to paragraph 6 of the Government Resolution on the Report on the Police Administration in the Bengal Presidency for the year 1921, of which a copy has been placed on the Library table. For financial reasons it is not at present intended to include the Khulna waterways in the spheres of the department, but pending the receipt of the Retrenchment Committee's recommendations the further curtailment of the department is not at present under consideration.

(*c*) The reference to the Retrenchment Committee is in general terms covering the expenditure of the province. The River Police has not been specially mentioned.

Teaching appointments in the Medical College and Schools in Calcutta.

***XVIII. Mr. S. MAHBOOB ALEY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that Major-General B. H. Deare has promised to create two new appointments in the Calcutta Medical College and to give them to two Assistant Surgeons to be nominated by him?

(*b*) Will the Hon'ble the Minister be pleased to state whether teaching appointments in the—

(*i*) Medical College,

(*ii*) School of Tropical Medicine and Hygiene, and

(*iii*) the Campbell Medical School,

are absolutely in the gift of the Surgeon-General or whether the Hon'ble the Minister has any voice in the selection or nomination to such appointments of—

(*1*) outsiders, or

(*2*) persons in the service?

(c) Will the Hon'ble the Minister be pleased to state whether in the matter of appointments referred to above the nomination or recommendation of—

(i) the Surgeon-General, or

(ii) the Selection Committee where such a committee exists,

is absolutely binding on the Hon'ble the Minister or whether it is open to him to accept or reject such nomination or recommendation?

Mr. S. W. GOODE: (a) The Surgeon-General has made proposals—now under the consideration of Government—for providing two appointments on the staff of the Medical College for officers selected from the ranks of Civil Assistant Surgeons.

(b) (i) to (iii) Appointments to Professorships of the Medical College are made by Government (Medical Department), a report being submitted to the Government of India. Posts of Assistant Professors and Demonstrators are held by Civil Assistant Surgeons, and under the general powers as regards posting, transfer and leave of Civil Assistant Surgeons, the Surgeon-General is authorised to fill up these posts without reference to Government. None of these appointments are held by outside practitioners, except the Professorship of Anatomy.

As regards the School of Tropical Medicine and Hygiene, some of the professorial appointments are held by Indian Medical Service officers who are appointed by the Government of India under the old rules, while others—posts both of professors and of assistant professors—have been filled by persons appointed by the Minister in accordance with the recommendations made by the Selection Committee.

The teaching appointments of the Campbell Medical School are held by Civil Assistant Surgeons (apart from the post of Superintendent) and under the general powers of the Surgeon-General, appointments to these posts are made from officers in the cadre without reference to Government, which may, however, exercise a control over them.

(c) In respect of appointments requiring Government sanction, the Minister is not bound to accept the nominations of the Selection Committee appointed by him or of the Surgeon-General.

Revision of pay of teaching staff of Commercial Institute.

***XIX. Babu FANINDRALAL DE:** (a) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether the revision of the scale of pay of the teaching staff of the Government Commercial Institute, Calcutta, for which a grant was sanctioned by the Council in the last July session, has been given effect to?

(*b*) If not, when are the Government likely to pass orders in th matter?

(*c*) Is it a fact that the grant for the same purpose provided in the Budget for 1921-22 lapsed owing to the non-utilization of the amounts?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): (*a*) No.

(*b*) Orders will be passed as soon as the initial pay admissible to each member of the staff is settled.

(*c*) Yes.

Culverts on northern section of the Eastern Bengal Railway.

***XX. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether it is a fact that at the time of reconstructing the northern section of the Eastern Bengal Railway on the broad gauge system the railway authorities made the culverts fewer in number and shorter in width all along this section of the line?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): The question raised is one on which the local Government is not prepared to give a reply inasmuch as it is closely connected with the question of the recent floods in North Bengal, a matter into which a Special Officer has been specially deputed by the Railway Board to inquire.

Examinations for certificates of competency as "Serangs" and Masters of inland steam-vessels.

***XXI. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Marine Department be pleased to state whether it is a fact that both the Indian and European Masters of vessels have got to pass certain examinations under the Inland Steam Vessels Act held under the auspices of the Government of Bengal?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): Examinations are held under the Inland Steam Vessels Act, I of 1917, for certificates of competency as *Serangs* and first and second class Masters of inland vessels. These certificates are granted by the Government of Bengal. Both Europeans and Indians can appear at these examinations.

Mohsin Fund.

*XXII. **Maulvi SHAH ABDUR RAUF:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) what is the extent of the Mohsin Fund; and

(*ii*) what sum is annually appropriated by the different schools and colleges out of that Fund?

The Hon'ble Mr. P. C. MITTER: (*i*) and (*ii*) A copy of the Mohsin Fund Budget, which will give the information asked for, is laid on the Library table.

Receipts from increased stamp-duties.

*XXIII. **Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what the actual increase in receipts is from judicial and non-judicial stamps for the three months during which the Stamp Amendment and Court-fees Acts have been in force in Bengal?

(*b*) Do Government estimate that the anticipations of Government regarding the estimated increase in revenue from the above sources will be fulfilled?

(*c*) If not, what is estimated to be the probable amount of deficit on the basis of the actuals for the said three months?

The Hon'ble Mr. J. DONALD: (*a*) The information is given in the statement below.

(*b*) No.

(*c*) The actual receipts for three months do not form a sufficient basis for determining the accuracy of the Budget estimate. On the basis of seven months' figures it is now estimated that the actual receipts for the year will fall short of the Budget estimate by Rs. 85 lakhs.

Statement referred to in the reply to clause (a) of starred question No. XXIII, showing Stamp Receipts for the first quarter ending 30th June, 1922, compared with the same quarter of the previous year.

	First quarter 1921-1922. (April to June.)	First quarter 1922-1923. (April to June.)	Increase.
	Rs.	Rs.	Rs.
Judicial	58,02,425	59,91,455	1,89,030
Non-judicial	21,24,450	25,05,933	3,81,483
Total ...	79,26,875	84,97,388	5,70,513

In continuation of the answer given by the Hon'ble the Member in charge of the Police Department to starred question No. XIV put by MR. BIJOYPROSAD SINGH ROY *on the 3rd July, 1922, two statements are laid on the table in respect of parts (iii) and (iv) thereof*

I.

(*iii*) Statement showing the amount realised in the last completed year as rent of chaukidari *chakran* lands and made over to union boards and chaukidari panchayets. The amount is not contributed by Government but is paid by the owners of the estates in which such lands are included.

District.	*Amount.*		
	Rs.	A.	P.
Birbhum	89,258	0	0
Hooghly	41,033	12	2½
Bankura	3,891	0	0
Burdwan	97,961	12	2
Midnapore	27,191	14	11
Howrah	6,572	4	1
Murshidabad	48,408	0	0
Total ...	3,14,316	11	4½

II.

(*iv*) Statement showing the amount paid in the last completed year by union boards on account of pay and equipment of chaukidars and dafadars.

District.	*Amount.*		
	Rs.	A.	P.
Burdwan	2,25,759	12	6
Birbhum	1,94,827	0	0
Hooghly ...	1,65,640	4	11
Howrah	1,09,038	13	0
Faridpur	59,274	9	8
Tippera	2,21,590	1	6
Noakhali	41,799	8	0
Dacca	1,17,165	0	0
Total ...	11,35,095	1	7

Unstarred Questions

(answers to which were laid on the table).

Income of the Calcutta University.

1. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state what was the aggregate gross income of the University of Calcutta in the following years:—

1917-18, 1918-19, 1919-20, and 1920-21?

(*b*) How much of the above aggregate income was derived from endowments, and what are the objects of the several endowments?

(*c*) How much of the above aggregate income was derived from the following:—

(*i*) Matriculation examination fees;

(*ii*) Intermediate examination fees;

(*iii*) B.A. and B.Sc. examination fees;

(*iv*) M.A. and M.Sc. examination fees;

(*v*) B.L. and M.L. examination fees; and

(*vi*) other examination fees?

(*d*) How much of the above aggregate income was derived from sale of University publications?

(*e*) How much of the above aggregate income was derived from fees paid by students for attendance at the Law College classes and lectures?

(*f*) How much of the above aggregate income was derived from the fees paid by Postgraduate students?

(*g*) How much of the above aggregate income was derived from Government grants? If any part of such grants was for special purposes, if so, for what purpose?

(*h*) How much of the above aggregate income was derived from other sources?

(*i*) What was the aggregate expenditure of the University of Calcutta during the following years:—

1917-18, 1918-19, 1919-20, and 1920-21?

(*j*) How much of the aggregate expenditure was incurred for the following examinations:—

(*i*) Matriculation examination;

(*ii*) I.A. and I.Sc. examinations;

(*iii*) B.A. and B.Sc. examinations;

(*iv*) M.A. and M.Sc. examinations;

(*v*) Medical examinations;

(*vi*) Engineering examinations;

(*vii*) B.L. and M.L. examinations; and

(*viii*) other examinations?

(*k*) How much of the aggregate expenditure was incurred—

(*i*) for the payment of the staff of the Postgraduate classes; and

(*ii*) for the general maintenance of the Postgraduate classes?

(*l*) How much of the aggregate expenditure was incurred—

(*i*) for the Science College; and

(*ii*) for the Law College?

(*m*) How much of the aggregate expenditure was incurred for municipal taxes, the pay of the Registrar, the Controller of Examinations, and the permanent office establishment of the University other than the Postgraduate Department?

(*n*) How much of the aggregate expenditure was incurred for other purposes?

The Hon'ble Mr. P. C. MITTER: (*a*) to (*n*) The published and audited accounts pamphlets of the University of Calcutta for the years 1917-18, 1918-19, 1919-20 and 1920-21 and a copy of the Calendar of that body for the years 1920 and 1921 are laid on the Library table. The former will give the information wanted by the mover as to the details of receipt and expenditure of the University for the years in question, while the latter will show the objects for which the several endowments of the University have been created.

Embankments in certain villages of Khulna.

2. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Department of Irrigation been drawn to the condition of the embankments in the following villages of the district of Khulna and the failure of rice-crop in those areas during the last three years:—

Rajnagore and Saktia in thana Tala; Kurikahunia, Sripur and Chakla Telikhali in thana Asasuni; and Srikalash, Kashimari, Biralaksmi and Tepakhali in thana Kaligunge?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps have been taken or what steps it is proposed to take for the repair of the said embankments so that the said villages may be saved from being flooded with salt water?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Yes.

(*b*) The matter is under consideration.

Babu AMULYA DHONE ADDY: Is it not a fact that the work has not been taken in hand yet and will the Hon'ble the Member in charge take necessary steps so that the same work may be taken in hand as early as possible?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The question will receive consideration.

Election expenses of local bodies.

3. Maulvi AZAHARUDDIN AHMED: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, district by district, the total amount spent by the Government during the last three general elections to—

(*i*) district boards,

(*ii*) local boards; and

(*iii*) municipalities?

Mr. S. W. COODE: Under rule 52 and rule 38 of the Election Rules issued under the Bengal Local Self-Government and Municipal Acts, respectively, copies of which are laid on the Library table, all costs incurred in holding elections by district and local boards and municipalities are payable from the district and municipal funds, respectively.

Inspection of primary and middle schools.

4. Khan Bahadur Maulvi WASIMUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement, in a tabular form, up to the 31st March, 1922, showing—

(*i*) the number of district and subdivisional inspectors and Government sub-inspectors of schools in each district in Bengal;

(*ii*) the number of middle English, middle vernacular, upper primary and lower primary schools and *maktabs* and other indigenous schools in charge of each of the above officers during the year; and

(*iii*) how many, if any, schools remained unvisited in each district by any officer?

(*b*) Do the Government contemplate any redistribution of those officers? If so, when?

(*c*) What steps are being taken to give effect to the Primary Education Scheme recommended by Mr. Biss?

The Hon'ble Mr. P. C. MITTER: (*a*) A consolidated statement is laid on the Library table.

(*b*) The whole question is under consideration. No date can be mentioned.

(*c*) The scheme as a whole has not yet been approved by Government. Experimental schemes on the lines indicated in Mr. Biss's recommendations are, however, being considered. Schemes have been worked out for 113 municipalities and 204 union boards and considerable funds, over Rs. 2½ lakhs, have been provided this year for giving effect to these proposals.

Slaughter of cows in municipalities.

5. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the names of all municipalities in Bengal, including Calcutta and suburban municipalities, and the number of Hindu and Muhammadan inhabitants therein; and

(*ii*) the names of the municipalities in which slaughter of cows, bulls and calves has been prohibited and the date of passing of the resolutions to that effect?

(*b*) Will the Hon'ble the Minister be pleased to state whether after such prohibition the slaughter of cows, bulls and calves has been stopped in the slaughter-houses of those municipalities?

(*c*) What is the sum received from the slaughter of cattle in the municipalities in Bengal during the last 12 months?

(*d*) What is the rate of the fee levied for the slaughter of each cattle?

(*e*) Are there stalls for sale of beef in the market-places of the municipalities which maintain slaughter-houses for the slaughter of cows, bulls and calves?

(*f*) Where is beef sold in the municipalities where there is no stall in the market place for the sale of beef?

Mr. S. W. GOODE: (*a*) (*i*) A statement is laid on the Library table.

(*ii*) Calcutta—7th April, 1920, and 25th January, 1922; Burdwan—10th April, 1922; Kutwa—30th May, 1922; Raniganj—20th June, 1922; Bankura—17th December, 1920; Sonamukhi—7th May, 1922; Howrah—23rd July, 1920; Bally—2nd April, 1920; Hooghly-Chinsura—29th April, 1922; Baidyabati—27th May, 1922; Arambagh—19th April, 1922; Tollyganj—17th April, 1922; Krishnagar—25th April, 1922; Nabadwip—29th April, 1922; Chakdah—16th June, 1922;

Kumarkhali—26th June, 1922; Berhampore—30th January, 1922; Narainganj—17th May, 1922; Mymensingh—7th July, 1915; Madaripur—10th May, 1922; Jalpaiguri—1st August 1921; and Old Malda—30th April, 1922.

(*b*) Of the above municipalities, 14 have no slaughter-houses; as regards the remaining eight, the slaughter of cows, bulls and calves has been stopped in Howrah, Bankura, Tollyganj, Mymensingh and Jalpaiguri.

(*c*) The amount received is Rs. 43,635 which is derived from fees as well as from licenses.

(*d*) The rate varies from one anna to ten annas per head of cattle.

(*e*) The answer is in the affirmative so far as the municipalities of Calcutta, Asansol, Suri, Howrah, Dacca, Chittagong, Comilla and Dinajpur are concerned.

(*f*) It is sold by hawkers or in private markets and licensed shops.

Babu AMULYA DHONE ADDY: Is it not a fact that the object of the municipalities referred to in the answer, in which the slaughter of cows and calves has been prohibited, is to reduce the price of cow's milk and at the same time increase the supply of *ghee*.

Mr. S. W. GOODE: The department have no knowledge of the motives of this action.

Babu AMULYA DHONE ADDY: Is it not a fact that the prohibition of the slaughter of cows has reduced the rate of infant mortality and is not a fact that it is not the Hindus alone but the Muhammadans as well who are equally interested in increasing the supply of milk which is the only food for infants and invalids?

Mr. S. W. GOODE: I am not prepared to express an opinion.

Mr. PRESIDENT: Babu Amulya Dhone Addy, have you any more questions?

Babu AMULYA DHONE ADDY: No, Sir.

Water-supply schemes.

6. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what schemes of local water-supply have been approved of by the Board of Public Health since January, 1921;

(*ii*) which of those schemes have been finally adopted and budgeted for by the Government;

(*iii*) what has been the total sum budgeted for, for the purpose;

(*iv*) what sum has been actually spent during the above period; and

(*v*) under what items such sums have been spent?

Mr. S. W. GOODE: (*i*) The following water-supply schemes ha been approved by the Sanitary Board since 1921:—

Midnapore water-supply.
Tangail water-supply.
Noakhali water-supply extension.
Bankura water-supply improvement.
Suri water-supply.
Raniganj water-supply.
Comilla water-supply.
Burdwan water-works extension.
Krishnagar water-works extension.
Narainganj water-works.
Chittagong water-works improvement.

(*ii*) Raniganj and Comilla schemes have received final sanction o Government and provision has been made for the schemes noted belov in the Budget for the current year:—

Grants—	Loans—
Bankura—Rs. 8,000.	Raniganj—Rs. 50,000.
Comilla—Rs. 32,000.	Burdwan—Rs. 35,000.
Chittagong—Rs. 30,000.	Bankura—Rs. 10,000
Raniganj—Rs. 50,000.	Tangail—Rs. 25,000.
Suri—Rs. 30,000.	Comilla—Rs. 45,000.

(*iii*) The total sum was Rs. 1,00,000 for grants including Rs. 10,000 for the Rangamati water-supply, and Rs. 2,07,000 for loans including Rs. 42,000 for the Jessore water-supply.

(*iv*) and (*v*) The expenditure on the schemes in the above list from January, 1921, to date is as follows:—

		Rs.
Krishnagar water-works	...	1,75,654*
Chittagong water-works	...	2,648
Raniganj water-works	...	5,134
Burdwan water-works	...	2,403
Comilla water-works	...	750

The remainder of the projects have not yet been started.

* This is separate from the Krishnagar water-works extension scheme and was sanctioned previously by Government.

Defective filtered water-supply.

7. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the localities in Bengal which have now got a filtered water-supply for public use;

(ii) of these water-supplies, which of them failed during the last summer;

(iii) the places where filtration is not up to the mark; and

(iv) the steps that have been taken by the Government to remedy the defective filtration?

Mr. S. W. GOODE: (i), (ii) (iii) Statements are laid on the table.

(iv) Analysis reports are supplied to the local authorities concerned. They are always able to consult the Chief Engineer, Public Health Department, regarding the removal of defects.

I.

Statement referred to in the reply to unstarred question No. 7, showing places in Bengal which now have a filtered water-supply for public use.

(1) Barisal.
(2) Berhampore.
(3) Burdwan.
(4) Dacca.
(5) Howrah.
(6) Mymensingh.
(7) Naraingani.
(8) Kurseong.
(9) Khulna.
(10) Chandpur.
(11) Munshiganj
(12) Faridpur.
(13) Perojpur.
(14) Patuakhali.
(15) Jessore.
(16) Hooghly-Chinsura.
(17) Serampore.
(18) Chittagong.
(19) Uttarpara.
(20) Nator.
(21) Satkhira.
(22) Rajbari.

Supplied from Calcutta water-works—

(23) Manicktolla.
(24) Cossipore-Chitpore.
(25) Tollyganj.
(26) South Suburban.
(27) Garden Reach.

Supplied from local mills—

(28) Naihati.
(29) Bhatpara.
(30) Titaghar.
(31) Garulia.
(32) Bhadreswar.
(33) Champdany.
(34) Baranagar.

The names of Darjeeling, Bankura and Noakhali have been omitted from the list as there is no filtration.

The water-supply at Rajbari was stopped for a few days owing to the scarcity of water in the reserved tank.

Water scarcity was apprehended at Khulna and Jessore and the pumping set belonging to this department was sent to these municipalities in time to pump in river water to fill the reserved tank. Hence there was no break in the water-supply.

The water-supply at Satkhira stopped for a few days owing to the breakdown of machinery as there is no duplicate set provided.

II.

Statement referred to in the reply to unstarred question No. 7, giving the standards of filtration reached by the various water-supplies.

Water-supplies.	Sources.	Filters.	Remarks.
1. Howrah	River ...	Slow sand ...	Usually good but bad on two occasions ; oow satisfactory.
2. Chinsura ...	Ditto ...	Ditto ...	Almost invariably excellent.
3. Gauripur ...	Ditto ...	Ditto ...	Usually very satisfactory.
4. Uttarpara ...	Ditto ...	Mechanical ...	Variable results.
5. Rishra ...	Ditto ...	Ditto ...	Usually poor results.
6. Bankura ...	Ditto ...	Infiltration gallery.	Satisfactory.
7 Burdwan ...	Ditto ...	Slow sand ...	Usually excellent.
8 Berhampore ...	Ditto ...	Ditto ...	Usually very good
9. Mymensingh ...	Ditto ...	Ditto ...	Usually very satisfactory.
10. Barisal ...	Ditto ...	Ditto ...	Variable results
11. Dacca ...	Ditto ...	Mechanical ...	Almost invariably excellent.
12. Narayanganj ...	Ditto ...	Mechanical gravity	Variable results.
13. Chandpur ...	Ditto ...	Pressure ...	Ditto.
14. Jessore ...	Tanks ...	Mechanical gravity.	Ditto.
15. Khulna ...	Ditto ...	Slow sand ...	Usually fairly good.
16. Satkhira ...	Ditto ...	Pressure ...	Usually good.
17. Pirojpur ...	Ditto ...	Slow sand ...	Usually unsatisfactory
18 Faridpur ...	Ditto ...	Ditto ...	Variable results.
19. Nator ...	Ditto ...	Pressure ...	Uncertain.

District board grant to union boards.

8. Mr. BIJOYPROSAD SINGH ROY: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the grant of each district board to the union boards under it?

Mr. S. W. GOODE: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 8, showing the grants made by District Boards to the Union Boards under them.

Name of District Board.	Amount of grant to Union Boards.	Remarks
1	2	3
	Rs.	
Burdwan	44,884	
Birbhum	17,431	This includes Rs. 6,413 being the balance of the Union Committee Fund.
Hooghly	28,500	
Howrah	30,300	
Khulna	27,650	
Dacca	48,158	
Faridpur	15,800	
Tippera	40,000	Provided in the District Board Budget for 1921-22. An additional sum of Rs 31,485 was also provided for the maintenance of the Board's Lower Primary Schools in charge of union boards.
Noakhali	37,040	

N.B.—The District Boards of Hadia have decided to pay Rs. 100 to each of the 141 Union Boards in the district when they are actually constituted, the grant to be increased to Rs. 250 to each Board under special circumstances. The Mymensingh District Board has budgeted Rs. 12,700 for grants to Union Boards when they are formed whereas the District Board of Rajshahi proposes to grant Rs. 300 to each of the 17 Union Boards in the district.

Union boards.

9. Mr. BIJOYPROSAD SINGH ROY: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of union boards in Bengal in which union courts or benches have been constituted;

(*ii*) the total number of union boards in Bengal; and

(*iii*) the maximum amount of union rate realised by any union board under sections—

(I) 37(*a*)

(II) 37(*b*)

of the Bengal Village Self-Government Act, 1919; and

(*iv*) the maximum amount of expenditure of a union board under the Bengal Village Self-Government Act, 1919, for office management and realisation of taxes?

Mr. S. W. GOODE: (*i*) One hundred and one.

(*ii*) One thousand one hundred and two.

(*iii*) The figures appear to be Rs. 4,044 and Rs. 5,500, respectively.

(*iv*) The maximum amount is Rs. 1,246.

Kala-azar.

10. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state in detail—

(*i*) in which of the districts of Bengal, kala-azar prevails to any severe extent, and

(*ii*) what steps, if any, have been taken for the prevention and eradication of the disease either by the Government or by any of the local authorities?

(*b*) Will the Hon'ble the Minister kindly say what steps the Government suggest should be taken by the district boards to check any further progress of kala-azar in Bengal?

Mr. S. W. GOODE: (*a*) (*i*) Investigation into the prevalence and distribution of kala-azar was commenced by the Public Health Depart-

ment in 1919. So far the following twelve districts have been examined and the results are as follows:—

District.	Number of villages examined.	Number of villages infected with kala-azar.	Percentage infected.	Number of cases found.	Average per village.
			Per cent.		Per cent.
Mymensingh ...	138	75	54·3	355	4·7
Malda ...	233	93	40·0	156	1·7
Nadia ...	441	151	34·2	252	1·7
Bakarganj ...	273	86	31·5	169	1·9
Dacca ..	104	32	30·0	53	1·7
Burdwan ...	76	20	26·3	54	2·7
Noakhali ...	227	34	14·9	52	1·5
Tippera ...	459	61	14·8	118	1·7
Darjeeling ..	77	10	12·9	12	1·2
Jalpaiguri ...	127	15	11·8	20	1·3
Faridpur ...	491	45	9·1	81	1·8
Chittagong ...	161	10	6·2	21	2·1
Total ...	2,807	639	2·27	1,343	2·10

From these figures, it will be seen that the largest proportion of infected villages occur in Mymensingh, Malda, Nadia, Bakarganj, Dacca and Burdwan. The largest number of cases found in the infected villages are in Mymensingh and Burdwan. Isolated inquiries have also been made in parts of Jessore, the 24-Parganas and Howrah.

(*ii*) Government have undertaken the necessary investigation in order that local authorities should know the facts; the officers engaged in the investigation have undertaken the special treatment (by antimony injections) of the cases seen by them, and have taught the local medical men the method of diagnosis and technique of treatment; local authorities have been advised in regard to schemes for the eradication of the disease; and some district boards, *e.g.*, Mymensingh has taken up the work, allotting a considerable amount for the purpose.

(*b*) A copy of the plan of work suggested by the Assistant Director of Public Health on Special Kala-azar is laid on the Library table.

Irrigation schemes on Council resolutions.

11. Mr. HUSEYN SHAHEED SUHRAWARDY: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to lay on the table a list of the schemes in the Department of Irrigation referred to in resolutions carried or accepted by the present Council with the approximate cost for each?

(*b*) Of these schemes, how many and which have been given effect to and the extent to which they have been given effect to?

(*c*) How many and which of these schemes have been held up for want of funds?

(*d*) How many and which of these schemes do the Government not propose to accept?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) to (*d*) The only scheme accepted is that relating to the improvement of the Saraswati river in the districts of Hooghly and Howrah. The action already taken by Government in the matter is described in the speech of the Hon'ble the Member printed on pages 279 and 280 of the Council Proceedings, 1921, Volume III.

Alleged inconvenience of passengers at Howrah station.

12. Babu DEBI PROSAD KHAITAN: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) aware of the hardships to which passengers are put at the Howrah station by the platform gates being opened only a few minutes before the departure of the trains, and the consequent crowd and rush and of the corruption that has resulted therefrom?

(*b*) Is the Hon'ble the Minister considering the desirability of taking steps to put a stop to such hardships and corruption?

Mr. C. C. DEY: (*a*) No complaint has been received hitherto.

(*b*) It is not within the province of the local Government to take steps in this matter, but the attention of the East Indian Railway and of the Railway Board is being drawn to the subject-matter of the question.

Kala-azar in Hooghly.

13. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that there have been several cases of kala-azar at Kanaipore,

Sikta, and other villages within the jurisdiction of thanas Dadpur and Dhaniakhali in the Hooghly district?

(*b*) What steps, if any, are the Government taking in the matter?

Mr. S. W. COODE: (*a*) and (*b*) Government have no information but inquiries will be made by the Assistant Director of Public Health for Kala-azar. The kala-azar survey is at present being conducted in the district of Burdwan, but it will shortly be extended to Hooghly.

Construction of Howrah-Burdwan chord line and its effect on the sanitation of Hooghly.

14. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that since the construction of the Howrah-Burdwan chord line and the obstruction of the natural drainage by it, the villages on both sides of the line in the district of Hooghly have become malarious and that kala-azar is also spreading in those areas?

(*b*) Will the Hon'ble the Minister be pleased to state what steps, if any, it is proposed to take in the matter?

Mr. S. W. COODE: (*a*) So far as information is available it does not show that there was any increase in the total death-rate in the thanas of the Hooghly district through which the Howrah-Burdwan chord line runs.

(*b*) An inquiry regarding the prevalence of malaria and kala-azar has been arranged for and is being made.

Grant of rewards to presidents of union boards of Hooghly district for meritorious service.

15. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to lay a statement on the table showing—

(*i*) the names of the union boards of the Hooghly district whose presidents have been recipients of valuable presents for good service; and

(*ii*) also the character of the service in the case of every such president?

(*b*) Is it a fact that these presents have been made on the recommendation of the Circle Officers?

(*c*) Is it also a fact that a headman has been appointed for each union board?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) A statement is laid on the table. The rewards granted were gold signet rings and silver mounted walking sticks. Under the standing orders of Government such rewards, the normal value of which is Rs. 50, can be granted by District Magistrates to members of chaukidari panchayets and union boards for meritorious service.

(*b*) The good services were brought to notice by the Circle Officers, Subdivisional Officers and Superintendent of Police.

(*c*) Yes.

Statement referred to in the reply to clause (a) of unstarred question No. 15.

Name of union board whose president was rewarded.	Nature of services rendered by the president.
Dasghara ...	By his influence prevented non-co-operation from getting a foothold in his union and assisted the police administration.
Amnan ...	Has rendered satisfactory service and constructed a local road.
Dwarhatta-Gopinathpur	Organised a village defence party and assisted the police in a gang case.
Singur ...	Organiser of the Appurbapur Co-operative Credit Bank. Has shown public spirit and zeal in the work of his union.
Chanditala ...	Has done earnest and efficient work as president of the union board.
Kumarganj ...	Has done excellent work and also helped the police in a murder case.

Peali River Embankments.

16. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to lay on the table a list of the mauzas including the respective areas formerly protected by the Peali River Embankments Nos. 82, 83 and 84 of Schedule "D" to the Bengal Act VI of 1873?

(*b*) Will the Hon'ble the Member be pleased to state when and under what circumstances the aforesaid embankments were abandoned by the Government, and how and by whom the lands forming the side of the said embankment are now being used?

(*c*) Will the Hon'ble the Member be pleased to state whether the area formerly protected by each of the said embankments required any further protective embankment after and since the said abandonment?

(*d*) If so, what steps, if any, were taken in the matter?

(*e*) Will the Hon'ble the Member be pleased to state whether the sluices in those "D" Schedule embankments are maintained by the Government? If not, why not?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The list of mauzas and areas formerly protected by abandoned "D" Schedule Embankments Nos. 82, 83 and 84 are given below:—

Villages protected: Ondoloy, Sitakund, Chak Padijala, Katala, Ramnagar, Padijala, Malikpur, Sherpur, Surjipur, Purumtampur, Bhatpara, Raghunandpur, and Nachangacha.

Area protected by the abandoned "D" Schedule Embankments Nos. 83 and 84 abandoned is about 12 square miles.

Villages protected: Kumarkhali, Kaiatala, Ramchandrapur, Taherpur, Mogra, Gowalberia, Srikistonagar, Deramganj, Hogholdohori, Dhainkola, Utter Arsinagar, Nawagram, and Bairdhora.

Area protected by abandoned "D" Schedule Embankment No. 82 is about 8 square miles.

(*b*) The Schedule "D" Embankments Nos. 82, 83 and 84 were abandoned under notification dated 13th February, 1917, after construction of the Forward Peali Right Embankment and the Peali sluice in connection with the Magrahat Drainage Scheme. The lands pertaining to the embankment have reverted to the owners.

(*c*) After construction of the Peali Right Embankment and of the Peali sluice no further protection is necessary.

(*d*) No further steps are necessary.

(*e*) There are two sluices in the abandoned portions of the embankment, namely, Madanpur and Veragachi sluice. They are not maintained as they are not needed after construction of the new Madanpur-Veragachi sluice in 1920.

Water scarcity of 1922.

17. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he is aware of the general drying up of wells, tanks, and other sources of water-supply resulting from the recent drought in the Dacca division?

(*b*) If so, what special action, if any, has been taken by the Government or the district boards concerned for the removal of the scarcity of water in the Dacca division?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the number of wells, tanks, and other sources of water-supply during the recent drought, that were constructed by—

(*i*) district boards,

(*ii*) local boards, and

(*iii*) union boards,

in the Dacca division?

(*d*) In how many of these wells, etc., has there been a sufficient supply of water?

(*e*) What, if any, provision is there for the regular inspection of these wells, etc.?

Mr. S. W. GOODE: (*a*) The Minister in charge understands that the water-supply was seriously affected by the drought except in the Bakarganj district.

(*b*) and (*c*) The Minister in charge proposes to hold a conference in the cold weather to consider the question of water-supply in Bengal generally. The action taken by the district boards is shown in the statement attached.

(*d*) In Dacca and Faridpur there was an adequate supply in all the new tanks and wells; in Mymensingh, about 40 per cent. of the wells dried up; in Bakarganj, all the district board tanks had a sufficient supply.

(*e*) The District Engineer's staff and Local Board Sub-overseers inspect these sources of supply; in Dacca, the Local Board Chairman and Vice-Chairman are also reported to make such inspection.

Statement referred to in the reply to clause (c) of unstarred question No. 17, showing the number of wells, tanks and other sources of water-supply during the recent drought that were constructed by district boards, local boards and union boards in the Dacca division.

Dacca Division.	(*i*) District Boards.	(*ii*) Local Boards.	(*iii*) Union Boards.
Dacca ...	Nil, as the District board grant for water-supply is distributed amongst local boards.	Four tanks and 54 wells.	Several of them have sunk wells or re-excavated tanks. Details not received.

Dacca Division.	(i) District Boards.	(ii) Local Boards.	(iii) Union Boards.
Mymensingh	Finished the construction of 22 masonry wells, 2 ring wells and 1 tiled well only. Sixty-five wells and 3 tanks have, however, been in progress since the drought	Jamalpur constructed 12 ring wells. Kishoreganj sank 1 masonry well and 1 ring well. Netrokona 15 ring wells, Tangail 2 ring wells and 5 tiled wells, while the Sadar local board repaired 9 masonry wells, re-excavated 2 masonry wells and sank 10 ring wells.	There is no union board.
Faridpur ...	Two tanks and 11 masonry wells were completed and 1 tank and 15 masonry wells were done in part. Three old tanks and 2 masonry wells were repaired. One reinforced concrete well was also sunk.	Two tanks and 13 ring wells were completed and 3 tanks and 6 masonry wells were done in part Fourteen tanks and 4 ring wells were repaired.	One ring well completed but the information has not been furnished in respect of most union boards
Bakarganj	Constructed 4 wells and 283 reserve tanks. Three of the wells are out of use.	Do not deal with water supply.	Union board system has not yet been introduced

Increase of murder cases in Burdwan.

18. Raja MANILOLL SINGH ROY: With reference to the statement laid on the table in reply to unstarred question No. 38 put by me on the 23rd August, 1922, will the Hon'ble the Member in charge of the Police Department be pleased to state whether any steps have been taken, or are to be taken, to arrest the increase in the number of cases of murder in the district of Burdwan?

The Hon'ble Mr. H. L. STEPHENSON: Detection and punishment are the only possible deterrents in cases of murder, and every effort is made to secure this.

Pay and travelling allowances drawn by the educational inspecting staff of Pabna.

19. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the

table a statement showing the amounts drawn as travelling and halting allowances by the Deputy Inspectors and Sub-Inspectors of Schools and the Inspecting Pandits in the district of Pabna from the year 1918-19 to 1922-23 (up to July, 1922), noting the annual salary of each such officer?

The Hon'ble Mr. P. C. MITTER: A statement is laid on the table.

There was no Inspecting Pandit in the Pabna district during the period under consideration.

Statement referred to in the reply to unstarred question No. 19, showing the amount drawn by the educational inspecting staff of Pabna from 1918 up to July, 1922.

PABNA DISTRICT.

	Travelling and halting allowance.		Total cost on account of salary for five months for each post.
Up to 31st July, 1922.			
DEPUTY INSPECTORS.			
	Rs.	A.	Rs.
Babu Dwijendra Nath Neogi, District Inspector of Schools, Pabna	21	8	250
Maulvi Muhammad Timur, District Inspector of Schools, Pabna, from 28th April to 31st July, 1922	332	2[a]	1,000
Maulvi Daliluddin Ahmed, Subdivisional Inspector of Schools, Pabna	350	0	917
Babu Birendra Lal Ganguli, Subdivisional Inspector of Schools, Sirajganj	150	3	1,050
SUB INSPECTORS.			
Sadar Circle.			
Maulvi Moizuddin Ahmed, Sub-Inspector of Schools, Pabna	86	4	700
Dulai Circle.			
Maulvi Khorshed Ahmed, Sub-Inspector of Schools, Dulai Circle	19	14	525
Sirajganj Circle.			
Syed Abdus Sattar, Sub-Inspector of Schools, Sirajganj	28	3	700
Ullapara Circle.			
Maulvi Reazuddin Bhuya, Sub-Inspector of Schools, Ullapara	18	14	425

[a] Including transit.

The travelling allowance bills of the Sub-Inspectors of Schools in this Division have been held up in this office since April, 1922 pending the final decision by the Director of Public Instruction, Bengal, of the question whether they should be allowed to draw travelling allowance under ordinary rules or a fixed daily allowance as old by the Accountant-General, Bengal.

BNA DISTRICT—*contd.*

1921-22.

	Travelling and halting allowance.	Total cost on account of salary per annum for each post.
DEPUTY INSPECTORS.		
	Rs.	Rs.
Maulvi Muhammad Nabi Baksh, District Deputy Inspector of Schools, Pabna, from 1st April, 1921, to 27th September, 1921	332	1,089
Babu Dwijendra Nath Neogi, District Inspector of Schools, Pabna, from 28th September, 1921, to 5th October, 1921, and again from 3rd January, 1922, to 31st March, 1922, at Rs. 250 a month	90	549
Maulvi Daffiuddin Ahmed, Officiating District Inspector of Schools, Pabna, from 26th October, 1921, to 2nd January, 1922, at Rs. 210 a month	169	474
Sirajganj Subdivision.		
Babu Jojneswar Chakravarty, Subdivisional Inspector of Schools, Sirajganj, from 1st April, 1921, to 17th July, 1921, at Rs. 210 a month	285	745
Maulvi Aftabuddin Ahmed, Subdivisional Inspector of Schools, Sirajganj, from 18th July, 1921, to 31st October, 1921, and again from 7th November, 1921, to 3rd December, 1921	369	1,500
Babu Kshirode Chandra Sen Gupta, Officiating Subdivisional Inspector of Schools, Sirajganj, from 4th December, 1921, to 2nd January, 1922, at Rs. 100 a month	83	97
SUB-INSPECTORS.		
Sadar Circle.		
Maulvi Maizuddin Ahmed, Sub-Inspector of Schools, Pabna from 1st April, 1921, to 6th July, 1921, and again from 7th September, 1921, to 31st March, 1922	151	1,440
Dulai Circle.		
Maulvi Khorshed Ahmed, Sub-Inspector of Schools, Dulai Circle	369	1,080
Sirajganj Circle.		
Babu Subodh Chandra Sen, Officiating Sub-Inspector of Schools, Sirajganj from 1st April, 1921, to 19th April, 1921, at Rs. 50 a month	24	82
Babu Kedar Nath Sarkar, Sub-Inspector of Schools, Sirajganj Circle, from 20th April, 1921, to 29th June, 1921	30	140
Maulvi Zahooruddin Ahmed, Officiating Sub-Inspector of Schools, Sirajganj Circle, from 17th August, 1921, to 7th March, 1922, at Rs. 50 a month ...	117	475
Syed Abdus Sattar, Sub-Inspector of Schools, Sirajganj Circle, from 8th March, 1922, to 31st March, 1922, at Rs. 140 a month	...	108

PABNA DISTRICT—*contd.*

	Travelling and halting allowance.	Total cost on account of salary per annum for each post.
SUB-INSPECTORS—*concld.*		
	Rs.	Rs.
Ullapara Circle.		
Maulvi Zainal Abedin, Sub-Inspector of Schools, Ullapara Circle, from 1st April, 1921, to 2nd January, 1922, at Rs. 105 a month	267	870
Maulvi Reazuddin Bhuya, Sub-Inspector of Schools, Ullapara Circle, from 3rd January, 1922, to 31st March, 1922, at Rs. 85 a month	110	170
Shahzadpur Circle.		
Maulvi Zainal Abedin, Sub-Inspector of Schools, Shahzadpur Circle	269	750
1920-21.		
DEPUTY INSPECTORS.		
Maulvi Muhammad Nabi Baksh, District Deputy Inspector of Schools, Pabna	730	1,682
Maulvi Aftabuddin Ahmed, Deputy Inspector of Schools, Sirajganj, from 1st April, 1920, to 18th September, 1920	361	1,200
Babu Jogendra Nath Jha, Officiating Deputy Inspector of Schools, Sirajganj, from 28th September 1920, to 11th March, 1921, at Rs. 100 a month ...	285	546
Babu Jojneswar Chakravarty, Officiating Deputy Inspector of Schools, Sirajganj, from 12th March, 1921, to 31st March, 1921, at Rs. 150 a month ...	..	97
SUB-INSPECTORS.		
Sadar Circle.		
Maulvi Ahad Ali Khan, Officiating Sub-Inspector of Schools, Pabna, from 1st April to 30th June, 1920, at Rs. 50 a month	31	158
Babu Nanda Dulal Saha, Sub-Inspector of Schools, Pabna, from 1st July to 10th August, 1920, at Rs. 100 a month	13	132
Maulvi Maizuddin Ahmed, Sub-Inspector of Schools, Pabna, from 19th October, 1920, to 31st March 1921	87	442

PABNA DISTRICT—*contd.*

	Travelling and halting allowance.	Total cost on account of salary per annum for each post.
SUB-INSPECTORS—*concld.*		
	Rs.	Rs.
Dulai Circle.		
Maulvi Khorsed Ahmed, Sub-Inspector of Schools, Dulai Circle, from 1st April to 15th December, 1920, and again from 16th February to 31st March, 1921	180	750
Maulvi Hafizuddin Ahmed, Officiating Sub-Inspector of Schools, Dulai Circle, from 16th December, 1920, to 15th February, 1921, at Rs. 50 a month ...	6	103
Sirajganj Circle		
Babu Kedar Nath Sarkar, Sub-Inspector of Schools, Sirajganj, from 1st April to 25th June, 1920 ...	150	250
Babu Subodh Chandra Bose, Officiating Sub Inspector of Schools, Sirajganj, from 6th July 1920, to 31st March, 1921, at Rs. 50 a month	161	392
Shahzadpur Circle		
Maulvi Belaluddin Ahmed, Sub Inspector of Schools, Shahzadpur Circle, from 1st April to 30th June, 1920	90	240
Maulvi Zainal Abedin, Sub-Inspector of Schools, Shahzadpur, from 10th January to 31st March, 1921, at Rs. 50 a month	34	71
Ullapara Circle.		
Maulvi Zainal Abedin, Sub-Inspector of Schools, Ullapara	200	900
1919-20.		
DEPUTY INSPECTORS.		
Maulvi Mahammad Nabi Baksh, District Deputy Inspector of Schools, Pabna	880	1,358
Maulvi Aftabuddin Ahmed, Deputy Inspector of Schools, Sirajganj	748	900
SUB-INSPECTORS.		
Sadar Circle.		
Babu Nanda Dulal Saha, Sub-Inspector of Schools, Pabna, from 1st April, 1919, to 29th February, 1920	376	1,033
Maulvi Muhammad Ahad Ali Khan, Officiating Sub-Inspector of Schools, from 29th February to 31st March, 1920, at Rs. 50 a month	...	52

PABNA DISTRICT—*contd.*

	Travelling and halting allowance.	Total cost on account of salary per annum for each post.
SUB-INSPECTORS—*concld.*		
	Rs.	Rs.
Dulai Circle.		
Maulvi Basiruddin Ahmed, Officiating Sub-Inspector of Schools, Dulai Circle, from 1st to 3rd April, 1919, at Rs. 50 a month	...	50
Maulvi Khorshed Ahmed, Sub-Inspector of Schools, Dulai Circle, from 25th April, 1919, to 31st March 1920	285	734
Sirajganj Circle.		
Babu Kedar Nath Sarkar, Sub-Inspector of Schools, Sirajganj	344	720
Shahzadpur Circle.		
Maulvi Belaluddin Ahmed, Sub-Inspector of Schools, Shahzadpur, from 1st April to 22nd July, 1919, and again from 8th September, 1919, to 31st March, 1920	211	578
Maulvi Tasiruddin Ahmed, officiating Sub-Inspector of Schools, Shahzadpur Circle, from 26th July to 7th September, 1919, at Rs. 50 a month	12	71
Ullapara Circle.		
Maulvi Zainal Abedin, Sub-Inspector of Schools, Ullapara Circle	203	800
1918-19.		
DEPUTY INSPECTORS.		
Maulvi Muhammad Nabi Baksh, District Deputy Inspector of Schools, Pabna	745	1,200
Sirajganj Subdivision.		
Babu Chuni Lal Kundu, Officiating Deputy Inspector of Schools, Sirajganj, from 1st April to 22nd April, 1918 at Rs. 60 a month	52	44
Maulvi Aftabuddin Ahmed, Deputy Inspector of Schools, Sirajganj, from 23rd April, 1918, to 31st March, 1919	660	900

PABNA DISTRICT—*concld.*

	Travelling and halting allowances.	Total cost on account of salary per annum for each post.
SUB-INSPECTORS.		
	Rs.	Rs.
Sadar Circle.		
Babu Nanda Dulal Saha, Sub-Inspector of Schools, Pabna Sadar, from 1st April, 1918, to 31st March, 1919	209	900
Dulai Circle.		
Maulvi Khorshed Ahmed, Sub-Inspector of Schools, Dulai Circle, from 1st April, 1918, to 15th June, 1918	110	210
Maulvi Rezauddin Bhuya, Officiating Sub-Inspector of Schools, Dulai Circle, from 16th June, 1918, to 8th February, 1919, at Rs. 50 a month	260	351
Maulvi Basiruddin Ahmed, Officiating Sub-Inspector of Schools, Dulai Circle, from 9th February, 1919, to 31st March, 1919, at Rs. 50 a month	Nil.	32
Sirajganj Circle.		
Babu Kedar Nath Sarkar, Officiating Sub-Inspector of Schools, Sirajganj from 1st April, 1918, to 31st March, 1919, at Rs. 50 a month	303	600
Shahzadpur Circle.		
Babu Surendra Nath Das, Officiating Sub-Inspector of Schools, Shahzadpur, from 1st April, 1918, to 16th May, 1918, at Rs. 50 a month	10	126
Maulvi Syed Akbar Ali, Sub-Inspector of Schools, Shahzadpur, from 17th May, 1918, to 16th February, 1919	240	450
Maulvi Belaluddin Ahmed, Sub-Inspector of Schools, Shahzadpur, from 25th February, 1919, to 31st March, 1919, at Rs. 50 a month	Nil	26
Ullapara Circle.		
Maulvi Muhammad Zainal Abedin, Sub-Inspector of Schools, Ullapara, from 1st April, 1918, to 31st March, 1919	150	720

Waiting rooms for females at stations on the Sara-Sirajganj railway line.

20. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether he is aware that there is inconvenience felt by the public owing to there being no waiting room for females at any of the stations on the Sara-Sirajganj railway line?

(*b*) Will the Hon'ble the Minister be pleased to state the names of the stations on the said railway line which are not provided with waiting rooms for females?

(*c*) Are the Government considering the desirability of instituting an inquiry into the matter and of asking the authorities of the said railway line to take early steps to construct waiting rooms for females at the stations where there are none at present?

Mr. C. C. DEY: (*a*) The alleged inconvenience has not come to the notice of Government.

(*b*) It has been ascertained from the Eastern Bengal Railway administration that the following stations have not been provided with waiting rooms for ladies:—

(1) Mooladali.
(2) Dhanbila.
(3) Gooakhora.
(4) Saratnagar.
(5) Dilpashar.
(6) Lahiri Mohanpur.
(7) Mahishakhola.
(8) Salop.
(9) Jamtoil.
(10) Kalia Haripur.
(11) Sirajganj Main.
(12) Sirajganj Bazar.
(13) Sirajganj Court.
(14) Sirajganj Ghat.

There are waiting rooms for ladies at Chatmohar, Bhangoora and Ullapara stations. Estimates are under preparation for providing waiting rooms for ladies at Gooakhora and Jamtoil stations.

(*c*) Government do not propose to institute any inquiry, but the attention of the Railway authorities will be drawn to the subject matter of the question.

Boat-hire for service of processes of Civil Courts in Chittagong Division.

21. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing the amount realised and the amount

actually spent annually, for the last five years, in the districts of the Chittagong Division, to meet the expenses of boat-hire, for service of processes of the Civil Courts?

(*b*) Will the Hon'ble the Member be pleased to state whether any boat is used for service of processes within the municipal area of the headquarters of the subdivisions of the districts in the said division?

(*c*) If not, will the Hon'ble the Member be pleased to state why boat-hire realizations are made in regard to the service of processes in the municipal area referred to in (*b*)?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) A statement is laid on the Library table.

(*b*) Yes; boats are sometimes used for the service of processes in some parts of the municipal area of the Brahmanbaria and Chandpur subdivisions of the Tippera district.

(*c*) The question does not arise.

Health of residents in Pabna district.

22. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state how many persons died of—

(*i*) cholera,

(*ii*) malaria,

(*iii*) influenza, and

(*iv*) small-pox,

in the district of Pabna during the last three years?

(*b*) Have any anti-malarial operations been commenced in the Pabna district?

(*c*) If the answer is in the affirmative, will the Hon'ble the Minister be pleased to state the nature of these operations and the results achieved so far?

(*d*) If the answer to (*b*) above is in the negative, will the Hon'ble the Minister be pleased to state the reasons for not commencing these operations?

(*e*) Is the Hon'ble the Minister aware that Pabna is one of the most malaria-infected districts in the Province?

(*f*) Is the Hon'ble the Minister proposing to take early steps to commence anti-malarial operations in the district of Pabna?

(*g*) Is it a fact that the population of the Pabna district has decreased during the last census?

(*h*) If the answer is in the affirmative, will the Hon'ble the Minister be pleased to lay on the table a statement under the following heads:—

(*i*) total population of the district and in the Sadar and Serajganj subdivisions, respectively, and also in the police-stations in the district; and

(*ii*) number of males and females, respectively, and birth and death rates in the years 1911 and 1921?

Mr. S. W. GOODE: (*a*) The required statistics are supplied as far as available in the subjoined statement:—

(*i*) Cholera: 1919—4,370; 1920—1,893; 1921—4,410.

(*ii*) Malaria: 1919—Not avalaible; 1920—Not available; 1921—35,861.

(*iii*) Influenza: 1919—Not available; 1920—Not available; 1921—72.

(*iv*) Small-pox: 1919—2,602; 1920—881; 1921—44.

In the absence of separate statistics for malaria and influenza for the years 1919 and 1920, the reported numbers of people who died of fever and respiratory diseases are given to supplement the statement above:—

Fever: 1919—42,196; 1920—36,887.

Respiratory Diseases: 1919—191; 1920—198.

(*b*) No.

(*c*) The question does not arise.

(*d*) and (*f*) The whole subject will be examined systematically by the new Malaria Branch which is under formation. Action will be taken on receipt of its proposals.

(*e*) Among the eight districts of Northern Bengal (Rajshahi, Dinajpur, Jalpaiguri, Darjeeling, Rangpur, Bogra, Pabna, Malda), Pabna ranks fourth in respect of relative intensity of prevalence of malaria. It stands thirteenth in the whole Presidency of twenty-six districts.

(*g*) According to the last census, the population of the Pabna district has decreased during the last decennium from 1,428,586 to 1,389,494.

(*h*) The required statistics are given below:—

(*i*) Total population of whole district—1,389,494.
Total population of Sadar subdivision—556,834.

Total population of Sirajganj subdivison—832,660.

Total population of police-stations—1,344,633.

(*ii*) (*a*) Male population of district: 1911—723,591; 1921—706,702.

(*b*) Female population of district: 1911—704,995; 1921—682,792.

(*c*) Birth rate of district: 1911—33·2; 1921—24·5.

(*d*) Death rate of district: 1911—24·7; 1921—30·8.

Kala-azar in Pabna.

23. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that many cases of kala-azar have occurred in the Pabna district during the last 3 years?

(*b*) Will the Hon'ble the Minister be pleased to state—

(*i*) the number of kala-azar cases that occurred within the limits of Pabna and Sirajganj municipalities and Sadar and Sirajganj local boards, respectively, during the years 1919, 1920, 1921 and 1922 (till 30th June); and

(*ii*) the statistics of mortality in each of these years within those localities?

(*c*) Are the Government considering the desirability of taking immediate action to investigate the cause of the prevalence of kala-azar in the district of Pabna and adopt effective steps to check its further spread in the district?

Mr. S. W. GOODE: (*a*) There is no accurate information regarding kala-azar in the Pabna district. Cases have been admitted for treatment at certain dispensaries, but the number is very small.

(*b*) (*i*) This information is not available.

(*ii*) Statistics of mortality in Pabna and Sirajganj towns and subdivisions are attached.

(*c*) The kala-azar inquiry now proceeding will be extended to Pabna district in due course. Twelve out of 26 districts have already been surveyed.

Statement referred to in the reply to unstarred question No. 23 (b) (ii), showing the statistics of mortality in Pabna and Sirajganj towns.

		Pabna town.	Sirajganj town.	Sadar Sub-division.	Sirajganj Subdivision.
Cholera ...	1919 ...	13	46	1,974	2,337
	1920 ...	22	17	989	865
	1921 ...	13	61	1,021	3,315
	1922 ...	1	4	115	133
Small-pox ...	1919 ...	15	19	1,367	1,201
	1920 ...	9	41	499	332
	1921 ...	...	1	17	26
	1922 ...	...	3	2	3
Fever	1919 ...	125	199	18,679	23,193
	1920 ...	134	805	17,186	18,762
	1921 ...	145	538	17,413	17,867
	1922 ...	59	118	6,119	6,853
All other causes ...	1919 ...	189	114	987	1,099
	1920 ...	87	212	1,186	1,241
	1921 ...	101	291	923	996
	1922 ...	25	58	682	844
Total Mortality ...	1919 ...	342	378	23,007	27,830
	1920 ...	252	1,075	19,860	21,200
	1921 ...	259	891	19,374	22,204
	1922 ...	85	183	6,994	7,833

NOTE.—For the year 1922, the statistics are given up to 30th June.

Representation of police-stations on district boards.

24. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that many elected members of the local boards returned from many police-stations find it impossible to get elected to the district boards and hence their constituencies are unrepresented on those boards?

(*b*) Are the Government considering the desirability of introducing the system prevailing in the Legislatures whereby a person cannot be a member of two Legislatures at the same time?

(*c*) What other steps are the Government taking to secure the due representation of police-stations on district boards?

Mr. S. W. COODE: (*a*) Yes.

(*b*) Government will consider the question of modifying the present system of indirect election from the local board to the district board in amending the Local Self-Government Act.

(*c*) The ordinary unit for local boards is the subdivision and Government are not prepared to adopt the police-station as the local board unit.

Admission of visitors to the sittings of local bodies.

25. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of the Local Self-Government be pleased to state whether visitors are allowed to attend the sittings of the union, local and district boards and the municipal commissioners?

(*b*) Is there any objection to allowing visitors to attend the meetings of the local bodies referred to in (*a*) above? If so, will the Hon'ble the Minister be pleased to state the authority or authorities under which such attendance can be objected to?

(*c*) If the answer to (*a*) above, is in the negative, will the Hon'ble the Minister be pleased to state whether the Government are considering the desirability of issuing early instructions to all the local bodies in the Presidency directing them to issue admission tickets to the visitors to the sittings of the local bodies on the same lines as in the case of the visitors to the sittings of the Bengal Legislative Council?

(*d*) Are the Government considering the desirability of asking all the statutory local bodies in the Presidency to get their proceedings published as in the case of the Bengal Legislative Council?

Mr. S. W. COODE: (*a*) Government have no information on the subject.

(*b*) There is no definite rule of business barring the public from attending meetings of the local bodies referred to above. The property of these local bodies being vested in the members of different boards for the time being, is under their control, and if they consider that the public business may suffer by admitting the public to the office in which they sit, they are clearly entitled to exclude the public under their statutory authority.

(*c*) The question does not arise.

(*d*) No.

Establishment of a subdivision in Pabna district with headquarters at Bera.

26. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether it is in the contemplation of the Government to establish a subdivision in the Pabna district; and

(*ii*) whether it is a fact that Bera police-station is being selected as the headquarters of the said subdivision?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*i*) and (*ii*) The creation of a new subdivision in Pabna district with headquarters at Bera was recommended by the District Administration Committee. The proposal was examined and in 1918 public opinion was invited both on the necessity for a new subdivision and the location of its headquarters; but in view of the conflicting opinions received and the paucity of funds available for such projects, Government decided to defer a decision. It is not proposed to re-open the question at present.

Member of Bengal Legislative Council as a member or president of any union board.

27. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether there is any member of the Bengal Legislative Council who is also a member or the president of any union board?

(*ii*) If so, will he please give their names?

Mr. S. W. COODE: (*i*) and (*ii*) Shah Syed Emdadul Haq is the only member of the Legislative Council who is a member of a union board. He is also the president of that board.

Students admitted into the Medical Schools and Colleges in Bengal.

28. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) How many students are admitted yearly into the Medical Schools and Colleges in Bengal?

(ii) How many applied for admission in them and how many were admitted or refused in each of the Schools and Colleges in 1921?

(iii) How many inhabitants of the Chittagong Division are prosecuting their studies in them, and how many of them were admitted during the period 1920—22?

(*b*) Are the Government considering the desirability of establishing a Medical School at Chittagong?

Mr. S. W. GOODE: (*a*) (*i*) The number of students admitted into the Medical Schools and Colleges is as follows:—Campbell Medical School: 1920-21—127; 1921-22—162; 1922-23—208. Dacca Medical School: 1920-21—133; 1921-22—149; 1922-23—138. Ronaldshay Medical School, Burdwan: 1920-21—Nil; 1921-22—53; 1922-23—71. Calcutta Medical College: 1920-21—170; 1921-22—171; 1922-23—190. Carmichael College: 1920-21—100; 1921-22—100; 1922-23—110.

(*ii*) Campbell Medical School: Number of applicants—1,280; Number admitted—162. Dacca Medical School: Number of applicants—558; Number admitted—149. Ronaldshay Medical School: Number of applicants—415; Number admitted—53 Calcutta Medical College: Number of applicants—956; Number admitted—171 (excluding 25 students selected by the Government of Bihar and Orissa, Assam and Burma and 4 female students).

(*iii*) Campbell Medical School: Number studying—17; Number admitted—9 (under the new rules inhabitants of Dacca and Chittagong are not admitted from 1922). Dacca Medical School: Number studying—103; Number admitted—70. Ronaldshay Medical School (Burdwan): Number studying—Nil; Number admitted—Nil. Calcutta Medical College: Number studying—19; Number admitted—13. Carmichael Medical College: Number studying—17; Number admitted—13.

(*b*) The Minister in charge of the Medical Department has recognised the desirability of this proposal, but the state of the provincial finances renders it impossible at present to proceed with the scheme. The local officers have been asked to work out a detailed scheme.

Babu ANNADA CHARAN DUTTA: Is the Hon'ble the Minister aware that His Excellency, during his recent tour at Chittagong and especially at Rajshahi, stated that Government would take the Chittagong medical school question first?

Mr. S. W. GOODE: I must ask for a notice of this question.

Babu ANNADA CHARAN DUTTA: In view of the small number of students from the Chittagong Division, will the Government take steps to keep open the Campbell Medical School for them and to allow the admission of a certain number of students from the Chittagong Division both in the Dacca and in the Calcutta medical schools?

Mr. S. W. GOODE: I must ask for a notice of this question also.

Old papers in connection with Muhammadan Marriages and Divorces Registration.

29. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay copies of the following on the table:—

(*i*) the report made by the District and Sessions Judge of Bakarganj about the importance of Muhammadan Marriages and Divorces Registration in 1903;

(*ii*) the report of Major Kennedy, Inspector-General of Registration, made on the occasion of the allegation against the Muhammadan Marriage Registrar in the Faridpur district in 1906;

(*iii*) the remark on behalf of the Government passed in 1907 on the occasion, in agreement with the opinion of the said Inspector-General;

(*iv*) the report of the Commissioner of the Dacca Division in 1872 in accordance with the order of the Bengal Government in 1871;

(*v*) the resolution of the Government of the 17th September, 1880, with the report of Nawab Abdul Latif on the 8th May, 1880;

(*vi*) the resolution of the Government on the 25th July, 1882;

(*vii*) the report of the Committee in accordance with the said resolution; and

(*viii*) the application of the Marriage Registrar of Narayanganj in 1889 with the recommendation of Mr. Holm Wood?

The Hon'ble Mr. P. C. MITTER: (*i*) to (*iv*) Government are not prepared to lay this official correspondence on the table.

(*v*) to (*vii*) One copy of each of these is laid on the Library table.

(*viii*) Government are not prepared to lay this official correspondence on the table.

Calcutta Police Rate Committee Report.

30. Babu SATISH CHANDRA MUKHARJI: Will the Hon'ble the Member in charge of the Police Department be pleased to state whether Government have come to any decision as to what action should be taken on the report of the Police Rate Committee?

The Hon'ble Mr. H. L. STEPHENSON: Government have not yet come to a decision in regard to the report of the Calcutta Police Rate Committee.

Namasudra students in schools in Faridpur.

31. Babu BHISHMADEV DAS: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of Middle English, Upper Primary and Lower Primary Schools in the district of Faridpur;

(*ii*) the total number of Namasudra students in the district, and the number of such students in each of those schools;

(*iii*) which of these schools are managed mainly by the Namasudras, with or without grants-in-aid from the Government and the District Board; and

(*iv*) the amount of monthly grants received by each?

The Hon'ble Mr. P. C. MITTER: (*i*) to (*iv*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 31, showing the particulars of the schools attended by Namasudra pupils in the district of Faridpur.

		Boys.	Girls.
(*i*) Number of Middle English Schools	...	71	2
Number of Upper Primary Schools	...	77	2
Number of Lower Primary Schools	...	1,430	807

	Boys.	Girls.
(*ii*) The total number of Namasudra students in the district	9,888	2,052 = 11,940 *
Number of such students in each of these schools—		
Middle English Schools ...	321	
Upper Primary Schools ...	291	
Lower Primary Schools ...	10,870	
	11,482	

(*iii*) Schools managed mainly by the Namasudras with or without grant-in-aid from the Government and the District Board—

Aided Middle English Schools.

(1) Char Nasirpur.
(2) Nilertek.
(3) Goalgram.
(4) Kalinagore.
(5) Char Manair.
(6) Nischintapur.
(7) Satpar.
(8) Gohala.

Unaided Middle English Schools

(1) Narail.
(2) Ghonapara.
(3) Rahuthar.
(4) Boltali.
(5) Kumaria.

(Upper Primary and Lower Primary Schools are shown separately, *vide* pp. 37-46.)

(*iv*) Amount of monthly grant received by each—

Middle English Schools.

	Rs.	
(1) Char Nasirpur ...	50	per mensem from Government.
(2) Nilertek ...	50	" " " "
(3) Goalgram ...	30	" " " District Board.
(4) Kalinagore ...	25	" " " "
(5) Char Manair ...	50	" " " Government.
(6) Nischintapur ...	30	" " " District Board.
(7) Satpar ...	20	" " " "
(8) Gohala ...	45	" " " Government.

(Upper Primary and Lower Primary Schools are shown separately, *vide* pp. 75-84).

* Excluding the pupils of high stage, special schools, and private institutions who are thus classified—

High stage	...	315
Special schools	...	48
Private institutions	...	95
Total	...	458
Grand Total	...	11,940

Particulars of Upper Primary and Lower Primary Schools attended by Namasudra pupils.

Serial No.	(dd) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(ee) Amount of monthly grant received by each.
	Aided Upper Primary Schools.		Rs. A. P.
1	Char Jhawkanda	Upper Primary ...	11 0 0
2	Gournadi	Ditto ...	3 4 0
3	Bahugram	Ditto ...	2 8 0
4	Dhongi Kandi	Ditto ...	5 0 0
5	Bamandi	Ditto ...	8 8 0
6	Sadhukhali	Ditto ...	8 8 0
7	Mahamadpur	Ditto ...	10 0 0
8	Deogram	Ditto ..	6 0 0
9	South Dighalia	Ditto ...	3 0 0
	Board Primary Schools for Boys.		
1	Hajiganj Bat	Board Lower Primary	8 0 0
2	Aliabad	Ditto ...	8 0 0
3	Bisherbag	Ditto ..	8 0 0
4	Baghadia	Ditto ...	9 0 0
5	Dharendra	Ditto ...	11 0 0
6	Bashuria	Ditto ...	11 0 0
7	Potia	Ditto ...	13 0 0
8	Jangalia	Ditto ...	14 0 0
9	Poranpur	Ditto ...	11 0 0
10	Tilchhora	Ditto ...	11 0 0
11	Saflidanga	Ditto ...	8 0 0
12	Bethuri	Ditto ...	8 0 0
13	Falsi	Ditto . .	8 0 0
14	Singa Andharkota	Ditto ...	11 0 0
15	Ram Chandrapur	Ditto ...	8 0 0

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
	Aided Lower Primary Schools for Boys.		Rs. A. P.
1	Charmadhabia	Lower Primary ...	2 8 0
2	Koulipara	Ditto ...	2 8 0
3	Tarapur	Ditto ...	2 8 0
4	Shyampartek	Ditto ...	2 8 0
5	Amirabad	Ditto ...	2 8 0
6	Khaschar Narikelbari	Ditto ...	2 8 0
7	Baliar Char	Ditto ...	2 8 0
8	Char Methabhanga	Ditto ...	2 8 0
9	Char Jhaw Kanda	Ditto ...	2 8 0
10	Char Bishunpur	Ditto ...	2 8 0
11	Kapalidangi	Ditto ...	2 8 0
12	Char Ajodya	Ditto ...	2 8 0
13	Banka Saderdangi	Ditto ...	2 8 0
14	Nischintapur	Ditto ...	2 8 0
15	Indubati	Ditto ...	2 0 0
16	Acharpara	Ditto ...	1 0 0
17	Dwabasur	Ditto ...	2 8 0
18	Bhennaharia	Ditto ...	1 8 0
19	Goptargati	Ditto ...	2 0 0
20	Bashudevpur	Ditto ...	2 8 0
21	Bania Chak	Ditto ...	1 0 0
22	Suasur	Ditto ...	1 8 0
23	Mahatali	Ditto ...	1 0 0
24	Barni	Ditto ...	1 8 0
25	Majhigati west	Ditto ...	2 0 0
26	Jaterpar North	Ditto ...	1 8 0

Serial No.	(ii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
27	Jaterpar South	Lower Primary ...	1 8 0
28	Naldanga	Ditto ...	1 0 0
29	Ghechua	Ditto ...	1 8 0
30	Goalgram South	Ditto ..	1 0 0
31	Boroibkita	Ditto ...	1 8 0
32	Khagardanga	Ditto ...	1 0 0
33	Kaligramhat	Ditto ...	1 8 0
34	Kunardiha	Ditto ...	2 0 0
35	Kazipara	Ditto ...	1 8 0
36	Kalinagar	Ditto ...	1 8 0
37	Majhigati	Ditto ...	1 0 0
38	Char Samail	Ditto ...	2 8 0
39	Char Gazaria	Ditto ...	2 8 0
40	Krishnanagar Mandalkandi ...	Ditto ...	2 8 0
41	Banderkhola	Ditto ...	2 8 0
42	Natapara	Ditto ...	8 0 0
43	Orakandi	Ditto ...	10 0 0
44	Arkandi	Ditto ...	7 0 0
45	Jikabari	Ditto ...	2 8 0
46	Ramdia	Ditto ..	4 8 0
47	Purba Narail	Ditto ...	4 0 0
48	Saliarkul	Ditto ...	2 0 0
49	Purba Dewasar	Ditto ...	4 0 0
50	Dhalgram	Ditto ...	4 0 0
51	Dighargati	Ditto ...	4 8 0
52	Dhopara	Ditto ...	2 0 0
53	Nimmkandi	Ditto ...	2 8 0

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
54	Taltola	Lower Primary ...	2 0 0
55	Baipara	Ditto ...	4 0 0
56	Chapkhanda	Ditto ...	2 0 0
57	Mora	Ditto ...	4 8 0
58	Baurkandi	Ditto ...	2 0 0
59	Kordi	Ditto ...	2 8 0
60	Charkalkini	Ditto ...	9 0 0
61	Nabagram	Ditto ...	2 8 0
62	West Jazira	Ditto ...	2 0 0
63	Bagmara	Ditto ...	2 0 0
64	Sandhar	Ditto ...	2 0 0
65	Sasikar	Ditto ...	6 0 0
66	Fasintola	Ditto ...	6 0 0
67	Madhya Ramjanpur	Ditto ...	11 0 0
68	Char Sirkandi	Ditto ...	5 0 0
69	Char Futa Bahadar	Ditto ...	16 0 0
70	Enaetnagar Bueghari	Ditto ...	5 0 0
71	Jorgaon	Ditto ...	5 0 0
72	Dharki Kandi	Ditto ...	4 0 0
73	Char Chachar Mondal Kandi ...	Ditto ...	2 8 0
74	Silerchar	Ditto ...	2 0 0
75	Chourashi	Ditto ...	9 0 0
76	Fulbari	Ditto ...	2 4 0
77	Kadambari	Ditto ...	7 4 0
78	Barakhola	Ditto ...	8 0 0
79	Boalgram	Ditto ...	2 8 0
80	Pakmia	Ditto ...	8 0 0

Serial No.	(dd) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(de) Amount of monthly grant received by each.
			Rs. A. P.
81	Char Saristabad	Lower Primary ...	2 0 0
82	Chouribari	Ditto ...	7 0 0
83	Mahishmari	Ditto ...	2 0 0
84	Ullabari	Ditto ...	2 0 0
85	Ghonarpara	Ditto ...	1 8 0*
86	Girisnagar	Ditto ...	1 8 0
87	Char Manikdaha	Ditto ...	1 8 0
88	Karargati	Ditto ...	1 0 0
89	Haridaspur	Ditto ..	2 8 0
90	Kushtirchar	Ditto ...	1 8 0
91	Char Bashunia	Ditto ...	2 0 0
92	Chungair	Ditto ...	2 0 0
93	Bajunia	Ditto ...	1 8 0
94	North Raghunathpur	Ditto ...	2 0 0
95	Guadona	Ditto ...	1 8 0
96	Mitradangar	Ditto ...	2 0 0
97	Joaria	Ditto ...	1 8 0
98	Banyabari	Ditto ...	2 0 0
99	Chhota Domrasar	Ditto ...	1 0 0
100	Mollakandi	Ditto ...	3 0 0
101	Rantkhamar	Ditto ...	2 0 0
102	East Nizra	Ditto ...	1 8 0
103	Narikelbari	Ditto ...	1 8 0
104	Andharkota	Ditto ...	2 0 0
105	Ichibhita	Ditto ...	1 8 0
106	Kalibhita	Ditto ...	1 8 0

* The monthly grant received as shown excludes Durbar grant.

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
107	East Satpar	Lower Primary ...	2 0 0
108	South Satpar	Ditto ...	1 8 0
109	West Satpar	Ditto ...	2 0 0
110	Jhutamandra	Ditto ...	1 8 0
111	Patikelbari	Ditto ...	2 8 0
112	Gandiasur	Ditto ...	2 0 0
113	Krishnapura	Ditto ...	1 8 0
114	Khaliagur	Ditto ...	1 8 0
115	Mabbarer Char	Ditto ...	2 0 0
116	Kandapara	Ditto ...	2 0 0
117	Old Tarabunia	Ditto ...	3 8 0
	Unaided Lower Primary Schools for Boys.		
1	Sarsakandi	Lower Primary ...	.....
2	Boradia	Ditto ...	.....
3	Buntipara	Ditto ..	.....
4	Horina	Ditto ...	.....
5	Betgram	Ditto ...	.....
6	Mukundapatti	Ditto ...	.....
7	Jangal	Ditto ...	.....
8	Kalagachhi	Ditto ...	.....
9	Pualipara	Ditto ...	.....
10	Shidhlajuri	Ditto ...	.....
11	Bhadulia	Ditto ...	.....
12	Haridaspur	Ditto ...	.....
13	Haturia	Ditto ...	.....
14	Sutalia	Ditto ...	.....

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
15	Sadhahati	Lower Primary ...	.....
16	Outjuga	Ditto ...	.....
17	Siabhanga	Ditto ...	.....
18	North Char Airkandi	Ditto ...	.....
19	Jazira	Ditto ...	.....
20	Badurpur	Ditto ...	.....
21	Char Khoajpur	Ditto ...	.....
22	Dakshin Khalia	Ditto ...	.....
23	Hossainpur	Ditto ...	.....
24	South Raghunathpur	Ditto ...	.....
25	Kandi	Ditto ...	.....
26	East Kotalia	Ditto ...	.....
27	Madarburi	Ditto ...	.....
28	West Karpara	Ditto ...	.....
29	Gopalpur	Ditto ...	.....
30	Gopinathpur Mandal	Ditto ...	.....
31	Latenga Hindu	Ditto ...	.....
32	Hizalbari	Ditto ...	.....
33	Kalabari	Ditto ...	.....
34	Palatona	Ditto ...	.....
35	East Bhuterbari	Ditto ...	.....
36	Joperarkandi	Ditto ...	.....
37	Patanigaon	Ditto ...	.....
	Aided Lower Primary Schools for Girls.		
1	Nilertek	Lower Primary ...	2 0 0
2	Charmanair	Ditto ...	1 8 0

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
3	Char Mathabhanga	Lower Primary ...	1 0 0
4	Bauka Sardarddangi	Ditto ...	1 0 0
5	Char Natokhola	Ditto ...	1 0 0
6	Khaschar Narikelbari	Ditto ...	1 8 0
7	Nischintapur	Ditto ...	1 8 0
8	Jalipar South	Ditto ...	1 8 0
9	Sadhukdiali	Ditto ...	1 0 0
10	Orakandi	Ditto ...	7 0 0
11	Bethuri	Ditto ...	2 0 0
12	Ramdia	Ditto ...	1 8 0
13	Dhirail	Ditto ...	1 0 0
14	Haridaspur	Ditto ...	1 8 0
15	Bhadulia	Ditto ...	3 0 0
16	Jotkura	Ditto ...	4 0 0
17	Padmabila	Ditto	2 0 0
18	Narail West	Ditto ...	1 8 0
19	Dewasar Purba	Ditto ...	1 8 0
20	Kumaria	Ditto ...	2 8 0
21	Sutalia	Ditto ...	4 0 0
22	Mora	Ditto ...	1 0 0
23	Kadambari	Ditto ...	3 0 0
24	Borashi	Ditto ...	1 0 0
25	Haridaspur	Ditto ...	1 0 0
26	Khagail	Ditto ...	1 8 0
27	Mollakandi	Ditto ...	2 8 0
28	Rat Khamar	Ditto ...	1 0 0
29	Krishnapura	Ditto ...	1 0 0

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant-in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
30	Gandisagar	Lower Primary ...	1 0 0
31	Patkelbari	Ditto ...	2 0 0
32	East Satpar...	Ditto ...	1 0 0
33	West Satpar	Ditto ...	1 0 0
34	South Satpar	Ditto ...	1 0 0
35	Bara Domarpar	Ditto ...	1 0 0
36	Char Madhyapur	Ditto ...	1 0 0
37	Amuria	Ditto ...	1 0 0
38	Bagaruttapur Chak	Ditto ...	1 0 0
39	East Mandara	Ditto ...	1 0 0
40	Girisnagar	Ditto ...	1 0 0
	Unaided Lower Primary Schools for Girls		
1	Basburia	Lower Primary ...	.....
2	Harina	Ditto ...	.....
3	Suasur	Ditto ...	.....
4	Haturia	Ditto ...	.....
5	Dari Padmabila	Ditto ...	.....
6	Shaflidanga	Ditto ...	.....
7	Nizamkandi	Ditto ...	.....
8	Taltola	Ditto ...	.....
9	Siabhanga	Ditto ...	.....
10	Sasikar	Ditto ...	.....
11	Bagmara	Ditto ...	.....
12	North Char Airkandi	Ditto ...	.....
13	Silachar Mandal	Ditto ...	.....
14	Chourashi	Ditto ...	.....

Serial No.	(iii) Schools managed mainly by the Namasudras with or without grant in-aid.	Class of schools.	(iv) Amount of monthly grant received by each.
			Rs. A. P.
15	Boulgram	Lower Primary ...	.....
16	Fulbari	Ditto ...	.....
17	Thuntamandra	Ditto ...	.....
18	Narikelbari	Ditto ...	.....
19	Baaharia	Ditto ...	.....
20	Dulgram	Ditto ...	.....
21	Palsair	Ditto ...	.....
22	Raipasha	Ditto ...	.....
23	Chhota Domeshpur	Ditto ...	.....

Subordinate Educational Service.

32. Rai PYARI LAL DOSS Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the number of representations, memorials, etc., submitted by the following classes of officers to the Director of Public Instruction and the Hon'ble the Minister regarding the recent reorganization:—

(*i*) Lecturers and Demonstrators;
(*ii*) Assistant Headmasters, etc.;
(*iii*) Subdivisional Inspectors, etc.;
(*iv*) English Teachers, etc.;
(*v*) Sub-Inspectors;
(*vi*) Teachers of the Dacca School of Engineering;
(*vii*) Senior Classical Teachers, etc.;
(*viii*) Junior Classical Teachers, etc.;
(*ix*) Vernacular Masters of Middle English, Guru-training and Circle Schools;
(*x*) Drill Masters; and
(*xi*) Drawing Masters?

(*b*) Will the Hon'ble the Minister be pleased to state the number of representations, memorials, etc., received by him on the subject of the recent reorganization on or before the 11th June, 1922?

(*c*) Will the Hon'ble the Minister be pleased to state how many of the applications mentioned in (*a*) and (*b*) have been considered and disposed of?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) The following table shows the number of memorials received from different classes of officers since the issue of Resolution No. 464-Edn., dated the 3rd March, 1922, regarding the reorganization of the Subordinate Educational Service:—

	Received by Government on or before the 11th June, 1922.	Received by Government between 12th June, 1922, and 31st July, 1922.	Received by Director of Public Instruction up to 31st July, 1922.
(*i*) Lecturers and Demonstrators ...	...	...	4
(*ii*) Assistant Headmasters, etc. ...	...	...	7
(*iii*) Subdivisional Inspectors, etc. ...	...	...	3
(*iv*) English Teachers, etc. ...	141	...	190
(*v*) Sub-Inspectors	26	...	43
(*vi*) Teachers of the Dacca School of Engineering.	...	1	9
(*vii*) Senior Classical Teachers, etc. ...	2	1	61
(*viii*) Junior Classical Teachers, etc. ...	3	...	23
(*ix*) Vernacular Masters of Middle English, Guru-training and Circle Schools.	58	9	66
(*x*) Drill Masters	1	...	1
(*xi*) Drawing Masters	1	...	4

(*c*) It is not proposed to reconsider the general orders already issued in respect of the reorganization of the Subordinate Educational Service, but individual cases will always be considered and up till now revised orders have been issued in respect of 15 officers by the Director of Public Instruction.

Guru-training schools and cost of inspection of educational institutions.

***33. Mr. AJOY CHUNDER DUTT:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement for the financial year 1921-22 showing—

(*i*) the number of guru-training schools in Bengal;

(*ii*) the number of gurus who received training;

(*iii*) the number of gurus who completed their training;

(*iv*) the cost incurred in maintaining the guru-training institutions exclusive of stipends paid to the gurus;

(*v*) the total amount paid to the gurus by way of stipends;

(*vi*) the cost of inspection, if any, of the guru-training schools;

(*vii*) the cost of inspection in connection with primary education;

(*viii*) the cost of inspection in connection with secondary education and

(*ix*) the cost of inspection in connection with higher education?

The Hon'ble Mr. P. C. MITTER: (*i*) to (*viii*) A statement is laid on the table.

(*ix*) No cost is incurred by Government, colleges being inspected by the Inspector of Colleges who is an officer under the University. The Director of Public Instruction, in the course of his tours visits and inspects colleges but this does not involve any extra cost.

Statement referred to in the reply to unstarred question No. 33.

Division.	Number of Guru-training schools.	Number of Gurus who received training.	Number of Gurus who completed their training.	Cost incurred in maintaining Guru-training schools exclusive of stipends paid to Gurus.	Total amount paid to the Gurus by way of stipend.	Cost of inspection, if any, of the Guru-training schools.	Cost of inspection in connection with primary education.	Cost of inspection in connection with secondary education.
1	2	3	4	5	6	7*	8	9
				Rs.	Rs.	Rs.		Rs.
Presidency Division ...	36	563	280	31,840	66,023	1,13,554		1,05,176
Burdwan ,, ...	28†	421	309	31,319	49,288	1,84,902		55,690
Dacca ,, ...	15	405	374	22,007	52,352	1,64,828		65,690
Chittagong ,, ...	8	199	158	12,370	23,201	92,891		57,648
Rajshahi ,, ...	15	402	364	30,251	47,902	1,09,324		36,586
Total ...	102	1,990	1,485	1,27,787	2,38,766	6,61,499		3,70,492

* The cost of inspection of Guru-training schools is included in the cost of inspection in connection with primary education. Separate figures are not available.

† Two abolished with effect from 16th January, 1922.

Anti-malarial schemes.

34. Mr. AJOY CHUNDER DUTT: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what anti-malarial schemes will be given effect to in the course of the current year;

(*ii*) what amount it is proposed to spend in connection with these schemes; and

(*iii*) whether Government propose to raise a loan in connection with the said schemes? If so, to what extent?

Mr. S. W. GOODE: (*i*) The Nawi-Sunthi, Arul Bheel, Jabuna (Section II) and Amta schemes have been continued in the current year.

(*ii*) The following expenditure has so far been incurred in connection with these schemes, *viz.*:—

Nawi-Sunthi—Rs. 3,37,854.

Arul Bheel—Rs. 2,23,915.

Jabuna—Rs. 1,81,359.

Amta—Rs. 2,56,867.

The estimates for the total scheme in each case are as follows:—

Nawi-Sunthi—Rs. 12,71,225. (The portion of this scheme already executed is complete in itself and it is not proposed to proceed with the remaining part of the original scheme.)

Arul Bheel—Rs. 2,65,664.

Jabuna—Rs. 12,94,159.

Amta—Rs. 13,10,858.

(*iii*) It is intended that these schemes should be financed from loans taken by the district boards concerned, who will in their turn recover from the persons benefited in accordance with the provisions of the Bengal Agricultural and Sanitary Improvements Act VI of 1920. Government are at present in communication with the district boards concerned regarding the financing of the above schemes.

Hunger-strike in Barisal Jail.

35. Babu INDU BHUSHAN DUTTA: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state how many cases of hunger-strike have occurred among the prisoners of the Barisal Jail?

(*b*) Has there been any inquiry regarding the causes of these hunger strikes? If so, by whom?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a copy of the report of such inquiry?

(*d*) (*i*) Who are the non-official visitors of the Barisal Jail?

(*ii*) Has any of them written any note about the causes, duration and effect of the hunger-strikes?

(*e*) If so, will the Hon'ble the Member be pleased to lay on the table a copy of their report?

(*f*) Are the Government considering the desirability of appointing a non-official committee to inquire into the treatment meted out to the political prisoners in the Barisal Jail?

(*g*) Will the Hon'ble the Member be pleased to state what action, if any, has been taken on the resolution adopted by this Council with regard to the treatment of political prisoners?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) The member is referred to the answer given to unstarred question No. 180, put by Rai Harendranath Chaudhuri on this subject at the meeting on the 30th August, 1922.

(*c*) and (*e*) Such reports by official and non-official visitors are not ordinarily intended for publication and Government do not propose to lay copies on the table.

(*d*) (*i*) Maulvi Syed Mahomed Hossain, Khan Bahadur Maulvi Himayetuddin Ahmad and Babu Benoy Bhushan Gupta.

(*ii*) Two of them referred to the hunger-strike in a joint inspection note.

(*f*) No.

(*g*) The member is referred to the answer to starred question No. L on the subject put by Dr. A. Suhrawardy at the meeting of the 5th July, 1922.

Damage to rice-crop in the 24-Parganas by floods.

36. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) been drawn to the damage caused to the rice-crop and buildings of poor cultivators in the district of the 24-Parganas by the last heavy flood?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps have been taken for the relief of the persons affected by the said flood?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes. Some damage was caused to the rice-crop but none to buildings.

(*b*) No relief is needed.

Pargiter's Revenue History of the Sunderbans.

37. Rai HARENDRANATH CHAUDHURI: With reference to the answer to my unstarred question No. 148 asked at the meeting of the Council on the 28th August, 1922, will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether Government are considering the desirability of reprinting even a limited number of copies of Pargiter's Revenue History of the Sunderbans?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The answer is in the negative.

Hours of attendance of Sub-Registrars.

38. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the Sub-Registrars have fixed hours for attending their offices every day?

(*b*) If so, what hours have been so fixed?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) The office hours of a Sub-Registrar are from 11 A.M. to 5 P.M on all working days.

Munshi Mahafezuddin Ahmed of Pirojpur.

39. Maulvi FAZLAL KARIM: (*a*) With reference to the answer given to clause (*b*) of the unstarred question No. 178 put by Maulvi Azaharuddin Ahmed on the 6th July, 1921, will the Hon'ble the Member in charge of the Judicial Department be pleased to state the source of his information about the dismissal of Munshi Mahafezuddin Ahmed from Kanungoship?

(*b*) Is it a fact that the officer reporting the matter did not inquire of the mukhtear concerned nor was he given any opportunity to explain himself on the matter?

(*c*) Is it a fact that the mukhtear is a nominated member of almost all the local bodies and institutions in the subdivision?

(*d*) Is it a fact that the answer that he was dismissed is incorrect?

(*e*) Is the Hon'ble the Member aware that services of Kanungoes in Bakarganj and Faridpur ranges were from year to year on a temporary system?

(*f*) Is it a fact that he was discharged as his services were no longer required?

(*g*) Is it a fact that the then District Magistrate, Mr. J. R. Blackwood, on a representation from the mukhtear in connection with the nomination of members for the local girls' school, inquired into the matter and in his letter No. 4360J of 30th September, 1918, informed the mukhtear that his services were dispensed with?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The information was obtained from the local officers.

(*b*) Yes.

(*c*) The mukhtear is a nominated member of the local board and of the municipality at Pirojpur. He is also a member of the Pirojpur Girls' School.

(*d*) There is no reason for thinking that the information supplied by the local officers was incorrect. The papers are not traceable now.

(*e*) The services of settlement Kanungoes are temporary but they were not employed from year to year.

(*f*) *Vide* answer to (*d*).

(*g*) The papers have been destroyed.

New bridge over the Hooghly.

40. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Marine Department be pleased to state whether the location of the proposed permanent bridge on the river Hooghly has been definitely settled and its design approved?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state the estimate of cost and the amount of contribution the Government propose to grant from the public revenues of the country?

The Hon'ble Mr. J. DONALD: (*a*) No.

(*b*) This question does not arise.

North Bengal floods and railway embankments.

41. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the Government have ascertained the number of human lives that have, so far, been lost as the result of the North Bengal floods which have devastated Bogra, Rajshahi and parts of Dinajpur and Pabna?

(*b*) Are the Government in communication with the Railway Board with a view to inviting their immediate attention to the ravages done by the floods in the Rajshahi Division and especially to the views of Dr. Bentley, Sanitary Commissioner of Bengal, to the effect that the Railway embankments were a contributory cause to the disaster?

(*c*) Are the Government considering the desirability, in collaboration with the Railway Board, of adopting measures to minimise the possibility of the recrudescence of such serious floods either by inserting new types of culverts in the railway embankments as suggested by Dr. Bentley or by other expert devices as may be decided upon?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The number of lives ascertained to have been lost in the district of Bogra is 22 and in that of Rajshahi 33. No lives were lost in Pabna and Dinajpur.

(*b*) and (*c*) The member is referred to the replies to clauses (*c*) and (*d*) of a starred question on the subject put at this meeting by Babu Fanindralal De.

Union benches and courts in Tippera.

42. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of suits in each union bench and court in each subdivision of the Tippera district still established and the number that falls under the section of cognizable offences;

(*ii*) the number of sessions held by each of the union benches and courts in each subdivision;

(*iii*) the sum of money realized in the union benches of each subdivision as fines and compensations; and

(*iv*) the number of money suits in the union courts of each subdivision and the total valuation of those money suits?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) to (*iv*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 42.

Name of union board.	Number of suits in each union bench and court in each subdivision of Tippera district till established.	Number that falls under the section of cognizable offences.	The number of sessions held by each of the union benches and courts in each subdivision.	The sum of money realized in the union benches of each subdivision and fines and compensations.	The number of money suits in the union courts of each subdivision and the total realizations of those money suits.
UNION BENCHES					
Sadar subdivision (south).				Rs. A. P.	
Rajapur	158	...	41	221 8 0	...
Burichang	19	1	7	30 0 0	...
Bharella	11	...	6	13 0 0	...
Solonal	37	...	14	45 0 0	...
Brahmanpara	26	...	8	31 0 0	...
Sasidal	75	...	71	113 0 0	...
Amratali	198	...	86	332 0 0	...
Panchthubi	59	2	11	46 0 0	...
Durgapur	101		67	38 0 0	...
Bojoypur	8	...	5	.....	...
Gahara	6	...	2	.....	...
Paschimgaon	16	...	14	21 0 0	...
Laksam	26	...	22	20 0 0	...
Uttarda	116	41	90	68 0 0	...
Uzirpur	4	...	3	.....	...
Kalikapur	19	...	24	10 0 0	...
Chouddagram	...	...	...	.....	...
Chiara	23	...	10	25 0 0	...
Dhalua	31	2	12	24 0 0	...

Name of union board.	Number of suits in each union bench and court in each subdivision of Tippera district till established.	Number that falls under the section of cognizable offences.	The number of sessions held by each of the union benches and courts in each subdivision.	The sum of money realised in the union benches of each subdivision as fines and compensation.	The number of money suits in the union courts of each subdivision and the total valuation of those money suits.
				Rs. A. P.	
Jagannath Dighi ...	...	...	...	.....	...
Silmuri	37	...	35	51 0 0	...
Bhaukshar	101	6	56	203 12 0	...
Sadar subdivision (north).					
Gobindpur	...	...	...	.....	...
Balarampur	4	..	4	15 0 0	...
Mazidpur	...	...	...	.....	...
Daudkandi	...	...	...	.....	...
Maraka	1	...	1	.....	...
Elliatganj	142	57	26	192 0 0	...
Gazaria	14	2	26	.....	...
Akubpur	6	...	3	.....	...
Andikote	4	...	5	.....	...
Bangora	46	...	25	45 0 0	...
Muradnagar	1	...	1	.....	...
Darara	...	...	...	.....	...
Gunaigher	25	11	4	22 0 0	...
Debidwar	22	8	9	.....	...
Feteabad	61	1	34	.....	...
Jafarganj	41	...	56	39 0 0	...
Barkanta	5	...	1	.....	...
Homna	188	4	34	92 0 0	...

Name of union board.	Number of suits in each union bench and court in each subdivision of Tippera district till established.	Number that falls under the section of cognizable offences.	The number of sessions held by each of the union benches and courts in each subdivision.	The sum of money realised in the union benches of each subdivid in as fines and compensations.	The number of money suits in the union courts of each subdivision and the total valuation of those money suits.
				Rs. A. P.	
Chandpur subdivision.					
dhikati	20	1	25	1 0 0	...
mpur	1	...	3	.....	...
rpurchandi	15	...	20	5 0 0	...
lia	55	4	27	43 0 0	...
khaua	1	...	1	.....	...
rahimpur	16	6	10	.....	...
gi Durgapur	14	1	11	18 0 0	...
tlob	2	...	1	.....	...
tnal	117	11	21	102 0 0	...
thoir	84	...	23	61 0 0	...
pti	53	...	23	80 0 0	...
ikpara	25	...	12	5 0 0	...
itoshi	6	2	4	.....	...
Brahmanbaria subdivision.					
amgram	52	43	28	62 0 0	...
binagar	...	...	...	.....	...
mauk	20	5	15	27 0 0	...
miandha	51	...	9	122 0 0	...
pashdi	23	...	18	.....	...
sirnagar	79	31	31	136 12 0	...
rail	21	21	13	10 0 0	...
ahba	43	...	16	52 0 0	...

Name of union board.	Number of suits in each union bench and court in each subdivision of Tippera district till established.	Number that falls under the section of cognizable offences.	The number of sessions held by each of the union benches and courts in each subdivision.	The sum of money realised in the union benches of each subdivision as fines and compensations.	The number of money suits in the union courts of each subdivision and the total valuation of those money suits.
				Rs. A. P.	Rs. A. P.
Rasullabad	29	...	12	47 0 0	...
Kalikatcha	30	1	14	24 0 0	...
Ratanpura	...	...	...	.....	...
UNION COURTS.					
Brahmanbaria subdivision.					
Syamagram	1	...	3	.....	136 4 0 one suit.
Nasirnagar	8	...	3	.....	45 12 6 eight suits.
Kashba	2	...	3	.....	...
Kalikatcha	5	...	4	.....	143 8 6 three suits
Nabinagar	...	...	...	.....	...

Provision of an overbridge at Ishurdi Railway station.

43. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) aware of the inconvenience caused owing to the fact that there is no overbridge at the Ishurdi station on the Eastern Bengal Railway for going to and from the bazar?

(*b*) Are the Government considering the desirability of drawing the attention of the railway authorities to this matter?

Mr. C. C. DEY: (*a*) No.

(*b*) The attention of the railway authorities will be drawn to the matter.

Munsifi "chaukis."

44. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the total number of munsifi *chaukis* in the Presidency of Bengal?

The Hon'ble Sir ABD-UR-RAHIM: Twenty-seven.

Legislation for State aid to industries.

45. Babu DEBI PROSAD KHAITAN: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware that an Industries Bill has been introduced in the Madras Legislative Council to provide for State aid to industries?

(*b*) Is the Hon'ble the Minister considering the desirability of introducing legislation on similar lines in this province?

Mr. J. T. DONOVAN: (*a*) and (*b*) Yes.

Babu DEBI PROSAD KHAITAN: May I ask when does the Hon'ble the Minister expect to introduce legislation in this Council?

Mr. J. T. DONOVAN: I must have notice of this question.

Scheme of appointing Honorary Surgeons and Physicians in hospitals.

46. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what actual progress has been made up to date in regard to the scheme for the appointment of Honorary Surgeons and Physicians in all big hospitals?

Mr. S. W. COODE: The question of appointing non-official Indian Medical practitioners as Honorary Surgeons and Physicians in the big State hospitals, was considered by the Medical and Public Health Standing Committee on the 25th March, 1922. The views of the Standing Committee have been considered by Government, and an Honorary Surgeon and an Honorary Physician have already been appointed at the Campbell Hospital. The posts were advertised and several applications were received, from which selection were made.

No Honorary Surgeons and Physicians have been appointed at the Medical College Hospital.

Railway Advisory Council.

47. Babu BROJENDRA KISHOR RAY CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state what steps, if any, are being taken by the local Government to expedite the formation of the local Railway Advisory Council for Bengal as recommended by the Indian Railways Committee of 1920-21?

Mr. C. C. DEY: The Railway Board has requested the Railway administrations to form local Advisory Committees and the subject is under reference with the Railway administration, Railway Board and this Government.

Dredging the Bhairab.

48. Babu JATINDRA NATH BASU: With reference to the answer given to unstarred question No. 142, put by Babu Nalini Nath Roy on the 20th February, 1922, regarding the dredging of the Bhairab river, will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) whether the project that was then under preparation is now ready; and

(*ii*) whether provision will be made in the next Budget for giving effect to the project?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) The project referred to is still under preparation and not yet ready for consideration.

(*ii*) No money will, therefore, be budgeted for the work next year (1923-24).

Dredging of Sital Lakhya Khal.

49. Mr. J. A. DeLISLE: With reference to the answer to unstarred question No. 22 of the meeting of 21st November, 1921, in which the Member in charge of the Department of Irrigation stated, as part of his reply, that "if the *Alexandra* dredger can be spared she will dredge the Sital Lakhya Khal near Dacca in the cold weather of 1922-23 provided it is found that dredging is likely to be of a permanent nature," will the Hon'ble the Member in charge of the Irrigation Department be pleased to state whether the *Alexandra* dredger can be spared now and if the dredging of the Sital Lakhya Khal will take place this cold weather or not?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The *Alexandra* cannot be spared and further inquiry shows that it is not desirable to dredge the Sital Lakhya Khal.

Sara-Sadhuganj Railway.

50. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether it is a fact that the works in connection with the Sara-Sadhuganj Railway lines are about to be started?

(*b*) If so, what is the estimated cost of this undertaking?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table a copy of the plan of the said railway lines?

Mr. C. C. DEY: (*a*) The Government of Bengal have no information to this effect.

(*b*) The probable cost is Rs. 43 lakhs.

(*c*) A copy of the plan has been laid on the Library table.

Surplus receipts in the Registration Department.

51. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing the amount of surplus in the Registration Department, year by year, during the years 1920, 1921 and 1922?

The Hon'ble Mr. P. C. MITTER: The amount of surplus is as follows:—

1920—Rs. 13,32,205.

1921—Rs. 9,57,369.

The figures for 1922 are not available.

High Court, Original Side.

52. Babu SATISH CHANDRA MUKHARJI: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) the amount of expenses incurred by Government for the up-keep of the Original Side of the High Court;

(*ii*) the amount realized by Government as court-fees or cost on the Original Side of the High Court; and

(*iii*) the number of cases filed within a year and the valuation of those cases?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) The expenditure in 1921 was Rs. 6,28,604.

(*ii*) The probate and administration duty realized in 1921 was Rs. 9,27,570-12-0. Other fees realized by means of stamps was Rs. 5,18,842-6-0.

(*iii*) Three thousand seven hundred and twenty-one suits were instituted in 1921. The value of suits for specific money claims was Rs. 5,22,26,287.

Dredging of Bidyadhari river.

53. Babu HEM CHANDRA NASKER: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) what steps are being taken to prevent the silting up of the river Bidyadhari; and

(*ii*) on what irrigation work the Government dredgers are being employed now?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) More extensive spill operation coupled with dredging and later on admission of as much head-water as possible.

(*ii*) All the dredgers are now being repaired or re-erected.

Train collision at Gangatikuri Station of the East Indian Railway.

54. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether he is aware of a collision which occurred at the Gangatikuri Railway Station on the B. A. R. section of the East Indian Railway on the midnight of the 28th August last between 53 up passenger and 150 goods trains?

(*b*) Did the Government make any inquiry into the cause of the disaster to ascertain as to who were responsible for the collision; and, if so, will the Hon'ble the Minister be pleased to state the result of such inquiry?

(*c*) What action, if any, has been taken by Government to punish the officers who were found guilty?

(*d*) How many passengers, both male and female, were killed as the result of the collision?

Mr. C. C. DEY: (*a*) Yes.

(*b*) An inquiry was made under the rules laid down by the Railway Board and the finding accepted by the Government Inspector of Railways.

(*c*) The staff responsible were summarily dismissed.

(*d*) No passengers were killed.

Forecast of winter paddy.

55. Babu SURENDRA NARAYAN SINHA: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a copy of the final forecast of the winter paddy crops and the prospect of the outturn for the year in the province?

Mr. J. T. DONOVAN: The final forecast of the winter rice crop will not be ready until the middle of February, 1923. A copy of the first forecast of the crop is laid on the Library table and from this the prospects of the outturn so far as ascertained now can be gathered. It is reported that at present over practically the whole province, excepting the flooded areas of Northern Bengal, the crop promises to be an excellent one.

Lady Principal, Bethune College.

58. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether it is a fact that the post of Lady Principal of the Bethune College is soon going to be filled up temporarily?

(*b*) Is it a fact that Government are appointing a European lady, who is not in the service, in supersession of the claims of the Indian ladies already in the service?

(*c*) What are the reasons for appointing a European instead of an Indian?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) and (*c*) The Director of Public Instruction has been instructed to advertise the acting vacancy and to submit proposals for filling it after considering the claims of Indian ladies already in service as also of outsiders and ascertaining the views of the Governing Body. As this will take a little time and as the College cannot be left without a Principal, Miss Hilda Jackson has been appointed to officiate up to the 31st December, 1922.

Bible course for University examinations.

57. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware of the protests made by various public bodies against the compulsory course of the Bible Selections in the I.A. and B.A. Examinations of the Calcutta University?

(*b*) If the selection is on the ground of reading Literature why does the Senate of the Calcutta University exclude the Mahabarata and Ramayana or the Holy Koran from the list of compulsory texts?

(*c*) Is the Hon'ble the Minister considering the desirability of drawing the attention of the Senate to the matter?

The Hon'ble Mr. P. C. MITTER: (*a*) No.

(*b*) Government are not aware of the reasons.

(*c*) Under the University Regulations, text-books are prescribed by the Syndicate on the recommendations of the Board of Studies. Government do not desire to address the University on a matter like this.

Cases tried by salaried magistrates of Tippera Sadar subdivision.

58. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of cases tried by the salaried magistrates of the Tippera Sadar subdivision beginning from the 30th June, 1921, to the 30th September, 1922;

(*ii*) the number of cases in which punishments were inflicted;

(*iii*) the number of cases dismissed;

(*iv*) the number of local inquiries made by the salaried officers and the amount of travelling allowance drawn by each of them for the purpose; and

(*v*) the reasons for the difference, if any, between the different officers in disposals regarding dismissals and awarding of punishments?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) to (*v*) As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Number of appeals disposed of by different classes of magistrates of Tippera.

59. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing for the last three financial years—

(*i*) the number of appeals preferred to the Court of the District Magistrate of Tippera against the judgments of the magistrates having second or third class powers in the same district;

(*ii*) the number of appeals disposed of by the District Magistrate himself, stating the number allowed and dismissed;

(*iii*) the number disposed of by the Additional Magistrate stating the number allowed and dismissed;

(*iv*) the number disposed of by other magistrates who have got the powers of hearing appeals and the number allowed and dismissed; and

(*v*) if the number of appeals allowed or dismissed by the different classes of magistrates referred to in (*ii*), (*iii*) and (*iv*) vary, will the Hon'ble the Member be pleased to state the reason for the differences?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) to (*v*) As the labour and time involved in the compilation of the statistics called for is disproportionate to their possible utility, the Government do not consider that they would be justified in undertaking the work.

Number of appeals disposed of by magistrates in Bengal.

60. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of appeals from the judgments of the magistrates having second or third class powers in each of the districts in the province of Bengal during the last three financial years;

(*ii*) the number of cases disposed of by the District Magistrate himself, the Additional Magistrate and the Deputy Magistrates of each district empowered to hear such appeals, stating the number of cases allowed and dismissed and also the number of cases in which orders of modification have been issued during the same period;

(*iii*) the number of appeals disposed of by the Additional Magistrates in each district during the last three financial years and the number of appeals allowed and dismissed in each district during the same period;

(*iv*) the number of appeals disposed of by any other magistrates who have got the powers of hearing appeals and also the number of cases of appeals allowed and dismissed, district by district, during the last three financial years; and

(*v*) if the number of appeals allowed or dismissed by the different classes of magistrates in each district during the said period vary, will the Hon'ble the Member be pleased to state the reasons for such variations in numbers?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) to (*v*) As the labour involved in the compilation of the statistics called for is disproportionate to their possible utility, the Government do not consider that they would be justified in undertaking the work.

OFFICIAL BUSINESS.

GOVERNMENT BILL.

The Goondas Bill, 1922.

The Hon'ble Mr. H. L. STEPHENSON: I beg to introduce a Bill to provide for the control of certain goondas residing in or frequenting the town and suburbs of Calcutta, and for their removal from Bengal.

It is not necessary, I think, for me to take up the time of the Council in insisting upon the existence of the evil which this Bill proposes to remedy. Members of the Council, if they will only read their daily papers of whatever shade of political complexion they may be, will find unfortunately every day some cases in the police courts of goonda outrage. It is only a short time ago that the Second Presidency Magistrate from the bench drew attention to the fact that he had not sufficient powers and the police have not sufficient powers to deal with what is considered to be a crying evil. And lest it may be thought that this evil is decreasing, I regret to say that only last Saturday two persons, who had given evidence against goondas, were so severely assaulted that one was killed on the spot and the other is lying in a very serious condition. The existence of the evil, therefore, I will take for granted. It is an evil which is not peculiar to Calcutta. Every large city, London and Paris, every city has its own peculiar form of hooligan. In Calcutta hooliganism is rendered more serious because of the physical structure of the town. Those who have some knowledge of the intricacies of the back passages and so forth in Barabazar and in the series of bye-lanes which abound in that neighbourhood, know that they afford eminently suitable haunting grounds for hooligans of this class. Another reason which has emphasised the danger in Calcutta is that some eight or nine years ago at the beginning of the war, there was a large influx into Calcutta of up-country men for various reasons, and they have to a large extent stayed on as goondas. I will therefore briefly indicate the genesis of the present Bill, which I propose to the Council to pass.

In 1914 owing to the abnormal rise in the number of robberies in Calcutta, and owing to certain sensational cases, there was a considerable feeling of unsafety of person and property in Calcutta. The Marwari Association and the Marwari Chamber of Commerce addressed us on the subject. The outbreak of war intensified the feeling of insecurity and it was largely due to this feeling of insecurity that up-country men were brought into Calcutta by way of providing security to the people which the police could not give. At that time a suggestion was put forward by the Marwari community for an increase in the number of European sergeants on patrol duty at Barabazar. Owing

to war we were not able to get them, but owing to the patriotism of the Calcutta Scottish 200 of that regiment were enrolled as special constables and did patrol duty, and owing to their presence and work the excitement and the feeling of insecurity passed away. But in 1916 there was another rise in crime in Calcutta—a rise not confined to Calcutta but I believe experienced practically all over the world. It was due to war conditions. The number of crimes put down to goondas increased steadily up till the beginning of 1920. In 1920 the Marwari Association again approached Government. I will read an extract from the letter from the Marwari Chamber of Commerce which gives an account of what they considered to be the position at that time. They say—

These goondas attack the bill collectors or *goomastas* carrying money and either stab them or belabour them with *lathis* or threaten them with imminent danger to their persons or lives and decamp with their money; women and children putting on ornaments are also their frequent victims, at times they are attacked even when they are in closed carriages. There is one class amongst these goondas who fall upon the pedestrians and run away with their shawls and *alwans*. These goondas generally take their stand in the corners of the streets not infrequently dressed as gentlemen with shawls on their persons and sometimes even wearing gold chains on their necks, or take their seat in a *pan* or *biri* shop or some such places in expectation of their victims. These *panwallas* or *biriwallas* or such other men are either their active associates or assist them in their nefarious work for fear of their own lives. Most of the people who are attacked do not even venture to report to the police for fear of further molestation or to avoid harassment and expense of a police case. Gentlemen who have witnessed such things being perpetrated under their very eyes often refrain from assisting the victims lest the goondas would make their lives miserable. When any of the goondas are in the hands of the police others terrorise gentlemen and men of position and compel them to stand surety or bear costs of their defence.

That, Sir, was the position at that time as explained by the Marwari Trade Association and I think the House will agree that it was a position of things that did necessitate the very careful attention of Government. The Member in charge of the Police Department at the that time, Sir Henry Wheeler, received more than one deputation from Marwari gentlemen and other gentlemen in the same position. The position was explained on both sides. The Government explained to the deputation what the difficulties of the police in the matter were. These difficulties have been set forth in the letter which has been addressed to various associations, and I need not detail them at length. Briefly they are that the security sections which normally are used against persons of this class are of very little avail. In the first place they are very difficult to work in Calcutta; in the second place they cannot be worked without evidence; and in the third place, that the goondas, nearly all, have some ostensible means of livelihood. They are employed as either *panwallas* or *biriwallas* or are engaged in hackney carriage business, which will exempt them from the operations of section 109 of the Criminal Procedure Code.

As regards prosecuting them for specific offences, the nature of Barabazar makes it very difficult to catch the goonda, and having caught him evidence is required. The deputations that came to the Government admitted freely and frankly that respectable gentlemen would not come forward to give evidence against the goondas with the knowledge that they would be stabbed in the back when they came out of court. In view of the occurrence of last Saturday, I cannot say that they are altogether to be blamed. Accordingly, after consultation with these deputations, the Government came to the conclusion—in which I think the deputations agreed—that the only possible remedy was to get rid of the goondas by deporting them. Accordingly, in June, 1920, Government issued a letter to various associations interested, putting before them the pros and cons, stating the difficulties, and saying that they were advised that the only possible remedy of the state of things in Barabazar and in the neighbourhood was to deport the goondas, most of whom came from up-country. The replies were not altogether encouraging. It is true that the replies of the mercantile community, as a whole, recognized that this was the only solution, and the Bengal Chamber of Commerce, the Trades Association, the British Indian Association, the Marwari Chamber of Commerce, the Bengal National Chamber of Commerce and the Indian Moslem Association approved of the principles contained in the Bill; but on the other hand, the Marwari Association, the Bengal Presidency Moslem League, and National Muhammadan Association refused to have anything to do with the proposal. Government then were in this position. In six months time the Reforms were coming. Government came to the conclusion that they would not be justified in putting before a Council in which they had a majority, a Bill to give protection, by means of special power to the police, which protection the people were not unanimous in wanting. The only result of bringing forward a Bill at that time would have been that we would have been accused—certainly in the then political circumstances of the country—of manœuvring to get rid of our political opponents by calling them goondas, and the goonda proper would have been elevated to the rank of a political martyr. It was therefore decided that we should place no proposals before the old Council, but that we should wait until we had a Council where Government would not have a majority; so the Bill will be a Bill of this Council.

Meanwhile, we set up a small establishment to ascertain facts about the goondas, and as far as possible, to cripple their activities. This establishment has been working for nearly two years. As to the actual work which has been done, there is a good deal of ignorance and, therefore, I welcome the opportunity of enlightening the members of this Council. The establishment consists of one Assistant Commissioner, one Inspector, two Sub-Inspectors, one Jamadar, two Assistant Sub-Inspectors, and six Constables—a small establishment. It is employed

in patrolling the areas which are the scenes of the activities of the goondas, but its principal work now is as follows. Four or five times a day the headquarters at Lal Bazar are rung up and informed that there is a gathering of goondas at such and such place. For instance, only a short time ago, it was rung up and informed that there was a gathering of a gang of goondas who were about to set fire to a theatre to which they were refused admission. When the police arrived, the goondas already had a tin of petrol. On all these occasions, whether on complaints as regards a body of men or as regards unpleasant-looking customers hanging about a street corner, the headquarters send some of their special staff. They arrest suspicious characters and then proceed to inquire about them. During the course of these two years, 978 persons have been arrested by the special staff. They were arrested either on complaints of this kind or by the special staff on duty disguised as detectives in plain clothes or in connection with definite specific offences. On several occasions, this special staff has actually caught the goondas in the act of committing extortion. In addition to this, the special staff has taken up the investigation of several cases in which the goondas are concerned. I may mention the Allahabad dacoity case, the Jail Road robbery and the Belliaghata taxi-cab dacoity case. They were all worked out by the small special staff. The object of the operations of this staff is to get a knowledge of who are the principal goondas, what their previous history is, and all about them. Of these 978 goondas who have been arrested, about 10 per cent. were found to be actually wanted by the police for some specific offences. A certain number of others were sent up for bad livelihood and the remainder were released. But in every single case full inquiries were made about them, with the result that the special staff has a register containing the names of 346 goondas who are the leaders in Calcutta. In the case of every one of them, they have the whole of their previous history recorded, their photographs and their thumb impressions. Already in several cases photographs have been of the greatest use in enabling persons who were attacked by unknown goondas to identify their assailant. That is the work that has been done; the results have been very satisfactory. The crime in the areas tackled has gone down. During the last three months there has not been a single robbery in Barabazar. But this is only a palliative. The men sent up under section 110, and convicted are free in a year's time and the moment we relax pressure in Barabazar in order to work up the goondas in other parts of Calcutta, Barabazar crime goes up again. Government, therefore, now consider that it is right that we should put before the Council proposals in the form of a Bill to meet this evil—proposals, which we are informed, not only by our experts but also by responsible public opinion and the mercantile community, are the only proposals by which this evil can be dealt with. I want to make the position of Government quite clear. It is important, because I understand that a Marwari Association

intends to oppose this Bill on the ground—the old ground—that this is a political dodge of the Government to remove its non-co-operating enemies. Government feel it their duty to give the Council an opportunity of passing this Bill. We believe that it is the only remedy; we admit that it is stringent, but it is the only one likely to be successful. If the Council deliberately consider that the remedy is worse than the disease, then Government will be relieved of all responsibility in the matter. We will continue—the police will continue—to do their duty with such powers as they have at present, but the responsibility passes from Government to the Council.

There are two precedents for this Bill. The first is the Foreigners' Act whereby any foreigner, who is undesirable, may be deported from British India by an executive order of Government. The second is the Bombay Act whereby gangs or individuals may be deported from Bombay on the report of the Commissioner of Police. Neither of these is an exact parallel, but the principle in both is the same.

Government have not put into this Bill any safeguards. We leave it entirely to the Select Committee to suggest what safeguards they think necessary or possible. At the time when the Bill was framed, we discussed what safeguards would be possible, and the first one that was suggested was something in the nature of an advisory committee. We were at once told by the members of the public we consulted, that no one would come to serve on the advisory committee until the terrorism had ceased, that nobody was going to risk his life in coming on the advisory committee with the fear of goondas stabbing him in the back. It is exactly the same reason as that for which it is so difficult to get evidence; people are not willing to be stabbed outside the court. It was then suggested that there should be a panel consisting of 20 or 30 gentlemen, and that no one should know to which particular individual the papers had been submitted. That, however, Government are not prepared to accept. They are prepared to take the responsibility of ordering themselves the deportation of goondas or a class of goondas, but they are not prepared to shelter behind an anonymous committee. They are not prepared to enable the goonda to say that he is being stabbed in the back by an enemy who dare not face him. But Government have entirely an open mind on the question of safeguards. We are leaving it, as I have said, to the Select Committee to suggest such safeguards as they think necessary and possible.

The only criticism that I have seen made with regard to this Bill since it was published, is that the Bill is restricted to persons not born in Bengal, and it is said that our Bengali goondas are just as bad; so why should we exempt them? The reason is that the Bengali goondas are our own men, and we have no justification for turning out of our province our own bad hats. We have got to deal with them ourselves. But we are justified in saying to the other provinces: "we are not going to keep

your bad hats." If we cannot deal with foreign goondas, we must get rid of them in this way. It is the Peshwaris, the Punjabis and the Pathans who are really at the bottom of goondaism in Calcutta. If they are removed, a very bad example anyhow is removed from Calcutta, and our police will have more time to deal with our men, and I think I am right in saying that if we get rid of the foreign goondas, we get rid of a considerable amount of the terrorism which prevents people from giving evidence against Bengali goondas.

That is the history of the Bill, and I now beg to introduce it to the Council.

The Secretary then read the title of the Bill.

[At this stage the Council adjourned for 15 minutes.]

After the adjournment.

Supplementary demands for grants.

7.—Stamps.

The Hon'ble Mr. J. DONALD: I move that a sum of Rs. 960 be transferred from the head "47.—Miscellaneous—Rewards for proficiency in oriental languages" to the head "7.—Stamps" for the entertainment of a stamp clerk at Rs. 80 per mensem in the Chittagong Treasury.

The stamp clerk takes the place of the treasurer. There is no change in the number of officers, while there is really a reduction in the charges. The provision is required to pay the stamp clerk.

The motion was put and agreed to.

The Hon'ble Mr. J. DONALD: I move that a sum of Rs. 600 be transferred from the head "47.—Miscellaneous—Miscellaneous and Unforeseen charges" to the head "7.—Stamps" to meet the charges on account of contract contingencies in the Stamp Department of the Dacca Collectorate.

This was an unforeseen demand for which there was no provision and the amount can be met by transfer from the head "Unforeseen charges."

The motion was put and agreed to.

15.—Other Revenue Expenditure financed from Ordinary Revenue.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I move that a further sum of Rs. 55,000 be granted under the head "15.—Other Revenue Expenditure financed from Ordinary Revenue" for expenditure on the construction of a retired line in the Talaimari Embankment at Rampur-Boalia, for the year 1922-23.

This amount is necessary in view of the floods that have occurred at Rampur-Boalia and for the unsatisfactory state of the embankment there. I hope it will be granted.

The motion was put and agreed to.

22.—General Administration.

The Hon'ble Mr. J. DONALD: I move that a sum of Rs. 20,300 be granted for expenditure under the head "22.—General Administration" to meet the cost of ferry charges and staging bungalows

This expenditure has already been voted by the Council under another head, but under the correct method of audit it has to be debited to "General Administration" and not to "Civil Works." It is a formal transfer.

The motion was put and agreed to.

33.—Public Health.

The Hon'ble Mr. J. DONALD: I move that a sum of Rs 8,14,772 be granted for expenditure under the head "33 Public Health" to meet the charges on account of grants to certain district boards and municipalities This is of the same nature as the last. The sum has already been voted by the Council but the proper head of debit should be "33 Public Health" and not "41 Civil Works" Hence this motion is necessary

The motion was put and agreed to

47.—Miscellaneous.

The Hon'ble Mr. J. DONALD: I move that a sum of Rs. 3,650 be granted for expenditure under the head "47.—Miscellaneous" to meet the charges on account of grants to the English Bazar Municipality for loss of ferry receipts and to the Muhammadan Burial Board. This is of the same nature as the last.

The motion was put and agreed to.

43.—Famine Relief and Insurance.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I move that a sum of Rs. 30,000 be granted under the head "43.—Famine Relief and Insurance" for gratuitous relief. A printed note has been circulated to the members of the Council which explains the necessity of having this amount for gratuitous relief, and I hope the Council will agree to it.

Babu INDU BHUSHAN DUTTA: I move that the demand for Rs. 30,000 under the head "43.—Famine Relief and Insurance" be reduced by Re. 1. The nominal reduction that I propose to make will convince the House that my motion is not for putting any obstacle in the way of this extremely prompt and rather extravagant call for sentimental charity which has at last come from a business-like Government, but merely to discuss the policy that has guided the authorities in dealing with an unprecedented situation and the manner in which they have done it.

Mr. PRESIDENT: I may at once explain that you cannot go into the general question of the policy adopted by Government to meet an unprecedented calamity. You must confine yourself to the question of gratuitous relief and I cannot have a general discussion. We are going to have a general discussion regarding the floods to-morrow.

Babu INDU BHUSHAN DUTTA: May I speak about the necessity of gratuitous relief?

Mr. PRESIDENT: So long as you confine yourself within the four corners of the subject.

Babu INDU BHUSHAN DUTTA: Very well. The demand is for Rs. 30,000, but without knowing what the extent of the damage is, it is rather difficult for us to say if this amount is adequate or utterly insufficient for the purpose. Therefore, I think it is necessary for us to find out what the extent of the damage has been and what the amount of gratuitous relief ought to be. It is, therefore, necessary for me to go into the whole question of the damage caused by these floods.

Mr. PRESIDENT: I am afraid I cannot allow that. We are going to have a discussion regarding the floods to-morrow. The member will be good enough to respect my ruling.

Babu INDU BHUSHAN DUTTA: In view of this ruling I will not speak any further, and I formally move my motion.

Kumar SHIB SHEKHARESWAR RAY: I have not been able to follow your ruling. If I err, you will kindly pull me up.

Mr. PRESIDENT: Certainly, Kumar Sahib.

Kumar SHIB SHEKHARESWAR RAY: I agree with the Hon'ble the Revenue Member that even the entire amount of this demand will not be required for gratuitous relief. Undoubtedly the situation has been most distressing, specially in the areas in the neighbourhood of the railway embankments, but the prompt action taken by the local officials and the zamindars and the subsequent relief operations organised by

the various non-official bodies went a long way towards mitigating the distress of the people. The people of North Bengal would never forget the way in which the whole country rallied to their succour at a time when everything appeared dark and hopeless. But the crisis was soon over and the acuteness of the distress did not last long.

Mr. PRESIDENT: I am sorry to interrupt the Kumar Sahib, but he is just on the verge I may say——

Kumar SHIB SHEKHARESWAR RAY: We will gather by experience.

Mr. PRESIDENT: As long as you keep your balance, it will be all right. (Laughter.)

Kumar SHIB SHEKHARESWAR RAY: Coming to gratuitous relief, I may say that our people in the villages are not given to mendicancy. They are honest and wonderfully self-reliant. The villager would refuse charity even if he had not a single day's provision. He would stake all to earn a living than live by begging. I belong to Rajshahi and I had been in my village during the floods and my information is that there was no keen demand for gratuitous relief. The reason was not far to seek. Immediately before the floods a bumper *aus* paddy crop had been harvested and a brisk jute season was just over, so most people had a sufficient stock of food-grains and a lot of ready cash in their hands. Of course houses had collapsed and for some time the physical suffering was great and the cattle were in danger; but the flood subsided and, as far as my information goes, the majority of the people did not take long to get over the need of gratuitous relief. But except in a very limited area, although charity is not so necessary now, what the villagers require is a loan for reconstructing their houses and for the purchase of seed and cattle. I hope that this would receive the proper attention of the authorities. Coming to the principle underlying this demand, I have one complaint against the Government. My position is this. Even this demand would not have been required if the Central Government at Darjeeling had been prompt and approached the public with a timely appeal. But the Government inactivity was interpreted by many as suggesting the absence of any great distress and that charity was not needed. Subsequent descriptions—I admit that they have been exaggerated—appearing in the press through non-official sources roused keen public sympathy, and the non-official appeal issued by Sir P. C. Roy met with a wonderful public response, taking the initiative from the hands of the Government. Considering the political condition of the country, to me it appears that the Reformed Government has been indiscreet in letting this opportunity slip to win for itself the affection of the masses, but the selfless workers of the non-co-operation party—all glory to them—carried the day, while Government was biding their time——

Mr. PRESIDENT: I am sorry to interrupt, but do I understand your argument to be that you object to this grant of Rs. 30,000 because the needs have been sufficiently met from private sources?

Kumar SHIB SHEKHARESWAR RAY: I do not say that. I say that Government inactivity has necessitated this demand. If Government had acted in a proper manner, there would have been no necessity for this demand.

Another evil effect of the inactivity of Government has been that a number of private relief parties came into existence like mushrooms. There was very little co-ordination of work among them and also——

A VOICE: Question.

Kumar SHIB SHEKHARESWAR RAY: He questions this, but if he will take the trouble of going to Sealdah, boarding a slow passenger train and getting down at Madnagar, he will be convinced. Sitting here he cannot be convinced.

As I have said, there was very little co-ordination among the workers of these various relief committees and also there were several instances of misplaced charity.

Mr. PRESIDENT: I am very, very sorry to interrupt the Kumar Sahib, but I must point out to him that what we are concerned with now is the demand for a grant of Rs 30,000. It is not in the least relevant to discuss whether private charity was misplaced or not.

Kumar SHIB SHEKHARESWAR RAY: The thing is I have not yet developed my point.

Mr. PRESIDENT: It is quite a small point—it does not need much development.

Kumar SHIB SHEKHARESWAR RAY: My point is this. This demand has become necessary because there was no co-ordination among the several relief parties started by non-official bodies, because there was no regular system of work and because of the inactivity of Government. That is the burden of the thing. This had a demoralising effect on the villagers, and, I should say, handicapped in no small measure any organised effort on a proper scale. And if Government had come to take the lead, all these would have been avoided, as was the case during the East Bengal cyclone only a few years back when Government did splendid service. I do not know whether I shall be again in order or not. I rather admire the prompt action of the local officers; but for them the demand would have been much greater. I would specially mention the Collector of my district, Rajshahi, who provided men and money at once on his own responsibility, and issued an appeal without even caring to be punctilious about the facts for

which I understand his legs have been pulled. I am proud of my Collector. He was here, there, and everywhere, regardless of all discomforts, and went round like a ministering angel looking to the safety and security of the people in his charge.

One word more, Sir, and I have finished. It has been suggested in some quarters—I do not know whether it will be relevant or not—that the zamindars had been most apathetic in not contributing liberally towards the relief of the people. From my personal knowledge I can say—and I think the official members will bear me out—that the zamindars have done what no relief committee would have done. Most of them were on the spot during the Pujas, and although themselves suffering from the effect of the flood, they helped their tenants to the best of their powers. I admit that they did not try to send relief to their tenants in a roundabout way through relief committees. But, Sir, does anybody, when a member of his family falls sick, send doles to the charitable hospitals hoping that they will ultimately reach the patient? This is absurd. The thing is we rendered help to our tenants directly.

Mr. HUSEYN SHAHEED SUHRAWARDY: It is not for the purpose of mere opposition, not merely in an attempt to keep a flag flying, that I support this amendment, but because I wish to bring to the notice of the Council the persistence of the Government in its callousness and the belated nature of the relief. It is not for me to tell the members of Government what the duty of Government is towards the unfortunate people consigned to its care, but we have always considered it axiomatic that it is the primary function of the Government to look after the welfare of the people spontaneously and not under pressure of public opinion, and in its exercise of that function to relieve their suffering in a spirit of unceasing care and sympathy—and it is sad beyond measure to contemplate that the head of the Government has thought fit to consider that Government is a business concern, a business house, presumably because it is largely run for the purpose of paying comfortable salaries to its managing directors and officials at the expense of an unlimited liability company presumably because the officials and not the people for whom it is supposed to be run happen to be the shareholders—and that there is no room for sympathy and charity—charity indeed—let me state no room for returning to the people in their time of distress a quota of what is extracted from the fruits of their labour. If it was not for the self-sacrificing labours of Sir P. C. Roy, to whom I pay, and to whom I know the people of Bengal pay, a most reverent homage, one trembles to realize what would have been the fate of the unfortunate people in the face of the practical inactivity of the Government in organizing relief measures. And now comes this belated and inadequate charity—always too late. I hope, Sir, the time is not far distant when the department of the

relief of distress will be transferred from the reserved to a responsible department, and ministers elected by the people will in a public-spirited and sympathetic manner look more after the interests of the people and less after the interest of the coffers of the Government. I, therefore, Sir, support the amendment, for I am convinced, and I think most of us are convinced, that Government has dealt with a situation, if it can be said to have dealt with it at all, in a most unsatisfactory manner, and has demonstrated with the most remarkable clearness that in its reserved side when the people ask for bread, it is ready to supply stones in return.

Babu JOGENDRA NATH ROY: In rising to support this demand for grant, my only regret is that the Hon'ble the Member has not asked for more. And I am surprised to hear that he is of opinion that "it is not anticipated that as much as Rs. 30,000 will be required."

The Press *Communiqué* issued by the Publicity Officer, Bengal, states that "the area affected by the floods in the district of Bogra is estimated at 405 square miles with a population of 249,560 in the district of Rajshahi at 1,200 square miles with a population of 741,137." And "the flood has also affected an area of about 200 square miles of the Pabna district."

The Publicity Officer has refrained from estimating the loss of property. But from an appeal issued from Rajshahi to which the District Magistrate has given the weight of his signature, we find that "the total loss amounts to over four crores of rupees, and a million people have been rendered homeless."

The estimate of the loss is almost staggering and, Sir, the action of the Government has been rather severely criticised. This estimate tallies with that of the unofficial organization for relief headed by our distinguished countryman, Sir Prafulla Chandra Roy, whose name will always be remembered by his grateful countrymen.

When the District Magistrate estimates the loss at about four crores of rupees, what have the Government done to alleviate sufferings and give the sufferers a fresh start in life? From the *communiqué* issued on the 11th October, we find that the Government have provided for—

(1) gratuitous relief—Rs. 20,000;

(2) charitable relief supplementary to the above and required for such purposes as rebuilding houses that have been destroyed, the provision of clothes, etc.—Rs. 54,000 out of the balance of the Cyclone and Midnapore Relief Funds; and

(3) agricultural loans—Rs. 6,10,000.

So that the amount actually given for gratuitous relief does not exceed Rs. 20,000 for a million people rendered homeless.

When we consider this, we cannot help admitting that in this matter Government have lagged behind private organizations with the result that discontent has been aggravated in the country, and those who revel in it have been allowed to steal a march.

I consider it unfortunate that the Hon'ble the Minister for Agriculture was prevented by illness from personally inspecting the devastated areas and attempts have not been made to create one central organization under the Government to afford relief to the sufferers.

In these matters, Sir, it is better to be extravagant than to be parsimonious, and though the Government is not a charitable institution, it can, at least, afford to be generous in preventing human sufferings, from floods and famines—call them visitations of Providence if you like.

I wish, Sir, that the Hon'ble the Member had come to the Council for a sum far in excess of Rs. 30,000. But as it is, I have very great pleasure in supporting the proposal that a sum of Rs. 30,000 be granted under "43.—Famine Relief and Insurance" for gratuitous relief.

Babu SURENDRA NATH MALLIK: I have very great pleasure in supporting this demand for Rs. 30,000, and I am sorry that a larger amount has not been demanded. It is possible that this may be due to the present financial stringency, but I do not believe that this is for any want of sympathy. I was there during the floods; I spent a couple of days there; and whom did I find? my most esteemed friend, Khan Bahadur Emaduddin Ahmed, working day and night. I felt a genuine pleasure. I wish other chairmen of district boards were half as enthusiastic as my esteemed friend. I found the District Magistrate, Mr. Reid, taking the keenest interest, going over the whole place and doing everything. The zamindars were also there; I also found various private parties. Marwaris, Hindus, Muhammadans, co-operators and non-co-operators. They were giving relief to any extent and working in perfect harmony. Well, my esteemed friend, the Kumar Sahib, has complained of want of co-ordination. If there was any lack of co-ordination, it must be due to the fact that my friend who was said to be at Benares at the time possibly thought that saying prayers at Benares in aid of his tenants at that time would be more beneficial to his tenants——

Kumar SHIB SHEKHARESWAR RAY: He is quite wrong; I was in the village at the time.

Babu SURENDRA NATH MALLIK: It is a great relief to me to find that I was wrong. I wish in all such similar cases I would be wrong again. There is no reason to think that because my esteemed friend was not there, therefore, everything was going wrong and everything was going to the dogs. However, now is the time to give assistance. To those who can afford to repay, money may be given for reconstruction of houses on loan, to others it should be given as charity. This is just

the time for Government to give help and I think this help will have to be given for some time more. I am grateful to the Hon'ble the Maharajadhiraja Bahadur of Burdwan for making this demand and I would have been still more grateful to him if he could have made it Rs. 60,000.

Babu KISHORI MOHAN CHAUDHURI: I had no mind to speak to-day, but as some observation was made by the Kumar Sahib I think it my duty to say something about it. My own village and I myself had to suffer a good deal and the journey which I could otherwise have done in 8 or 10 hours I had to perform in 44 hours with great difficulty. I saw with my own eyes the sufferings of the people. I do not admit that Government did not do anything, and at the same time also I do not admit that the zamindars did all they could and did everything for the suffering people. My friend, the Kumar Sahib, makes a distinction between the head of Government and the District Magistrate. I do not follow him. I know full well—and the Kumar Sahib himself admits—that Mr. Reid, the District Magistrate, went to the locality as soon as he heard of the floods. He did his level best for helping the sufferers. He asked the zamindars to come to his help, and so far as I know he did not meet with ready response. However, as regards this grant, I think Rs. 30,000 is not sufficient. I do not agree with the Hon'ble the Member in charge when he says that the whole amount may not be necessary. I think more than that would be necessary. If he means to say that as there are other relief committees and they have raised a large sum and spending it for the relief of the sufferers and on that account Government help for gratuitous relief will not be necessary to the extent of Rs. 30,000, he may be partly right, but I do not think that Rs. 30,000 in a matter like this is sufficient. The Government *communiqué* will itself show that about 10 lakhs of people are affected by this flood. There is great need for help and the time is coming when more help will be necessary for medical relief and for helping the poor cultivators in purchasing cattle, fodder, and also seed. Gratuitous relief is also necessary. As there will be a general discussion to-morrow, and as the President is also of opinion that this may be conveniently discussed to-morrow, I reserve my comment on this matter for to-morrow, but for the present I can say that Rs. 30,000 should be granted and Government should be prepared for spending more.

Khan Bahadur Maulvi EMADUDDIN AHMED: I beg to support the motion of the Hon'ble the Maharajadhiraja Bahadur of Burdwan that a sum of Rs. 30,000 be granted for famine relief. It has been said by Kumar Shib Shekhareswar Ray that the officials did not do, or the heads of departments did not do all that was desirable in this connection. I may say without fear of contradiction—and I think it will be endorsed by those who are acquainted with facts and figures, that the officials were very prompt, so far at any rate as my

district of Rajshahi was concerned. It was on the 26th of September when all of us, including Kishori Babu had left for our Puja holidays that the flood occurred. Who was the first person to go to the place? It was the District Magistrate, Mr. Reid, who, in order to go to Santahar, had to swim across the flooded portion and in fact we found him in a pitiable condition of health when he came back to Rampur-Boalia.

Babu INDU BHUSHAN DUTTA: I rise to a point of order? Is this relevant to the matter under discussion?

Mr. PRESIDENT: It is not strictly relevant. I am allowing the Khan Bahadur because seemingly he is just hovering on the border line, and I will pull him up as soon as he crosses the border.

Khan Bahadur Maulvi EMADUDDIN AHMED: May I proceed further?

Mr. PRESIDENT: You may, but please come to the point and say something about the sum that has been granted for gratuitous relief.

Khan Bahadur Maulvi EMADUDDIN AHMED: It was within ten days that the Hon'ble Sir Surendra Nath Banerjea came down from Darjeeling to the flooded area.

Mr. PRESIDENT: You can say something about the Hon'ble Minister's visit to-morrow and it will be much more appropriate then.

Khan Bahadur Maulvi EMADUDDIN AHMED: I can say that the Government officials have got the matter well in hand and this opinion will be endorsed by many others who were actually on the spot.

Maulvi MAHAMMED MADASSUR HUSSAIN: We are not concerned with the question whether the officials did their work or not, or whether the District Magistrate went to the spot to alleviate the sufferings of the people, or whether the head of the department of Government was trying to look into the matter, but the question before the Council is whether Rs. 30,000 should be granted or not. If we are satisfied from the evidence and from the condition of the locality that such relief ought to be given we should grant it at once without any hesitation. Now, therefore, let us see what is the condition of the area for which the relief is asked for by the Hon'ble the Maharajadhiraja Bahadur.

The flood which swept over North Bengal has left behind a mass of wreckage. The flood in its mad career has carried away everything before it. Never within living memory have the people experienced such a devastating and heart-rending scene. I have no personal experience of the havoc which the flood has caused, but from what I have gathered it is quite clear that the people of the area which has been affected by the flood are suffering incredible miseries. The houses have been

swept away, the roofs have been carried away, the stock of rice and other food-grains has disappeared. The grain and paddy-fields were converted into one vast sheet of water. The cattle, poultry, and other domestic animals and birds are no more to be seen. In fact the entire area presents a desolate and dreary appearance. The people have been rendered homeless, coverless, and penniless. They have got no place where to hide their heads or a morsel of food to eat or a bundle of straw to feed their cattle. I think the condition of the flood-stricken area and of the inhabitants is worse than that of the areas of France and Belgium which had been devastated by the Germans. Yet we find that the Hon'ble the Member in charge in order to alleviate the sufferings of such untold magnitude has demanded a trifling amount of Rs. 30,000. I beg to submit that this small amount is quite inadequate regard being had to the immeasurable miseries and the sufferings of this vast area which extends over the districts of Rajshahi, Bogra, Pabna and Dinajpur. I think that Babu Indu Bhushan Dutta brought forward his amendment in order to raise the discussion and in my opinion he has done well in pointing out the absolute inadequacy of the amount. Under all these circumstances I beg to support the motion for the grant of Rs. 30,000.

Mr. W. L. TRAVERS: In rising to support this motion, I should like, with your permission, to enter a strong protest against the speech made by Mr. Suhrawardy. In that speech he used any stick he could find to beat the Government; that is to say, he represented that the officers of Government, including the local officers, were callous and that they took no notice of the sufferings of the people. So, I wish, as the member who represents the local officers of Government in this Council, to say that the imputed motive is a deliberate lie.

Mr. PRESIDENT: I am afraid I must ask the member not to make use of an expression of that kind. He should withdraw and substitute it by some other expression of a milder character.

Mr. W. L. TRAVERS: I withdraw that expression and I will say that those imputed motives were untrue.

Babu SURENDRA NATH MALLIK: Is "untrue" parliamentary?

Mr. PRESIDENT: I think that may be allowed to pass. I thought, however, that Mr. Travers was going to say something about frigid and calculated. (Laughter.)

Mr. W. L. TRAVERS: You will see, Sir, that in view of my position as the representative of the local officers in this Council, I cannot let such remarks pass unchallenged. It is well known, and you have heard it yourself, what the members of the district in this Council

including Babu Kishori Mohan Chaudhuri have said about Mr. Reid, the Collector of the district, who did his duty in a most creditable manner. And I wish to associate myself with all that has been said in supporting the motion for the grant.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I am rather sorry that Babu Indu Bhushan Dutta did not speak on the subject; for with due deference to the ruling of the chair I think the rest of the gentlemen were very near the border line of bringing in a general discussion on the question of gratuitous relief.

Mr. PRESIDENT: Not quite.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I bow to your ruling. In this connection, I think it would be best for me to avoid a general discussion to-day, in view of the fact that there are no less than 18 resolutions on the agenda to-morrow, some of them of course relating to the appointment of a committee, and others covering this very question, and I do not think that it would be right for me either to exhaust my arguments to-day or to repeat what I may have to say to-morrow on the subject. But I should like to point out to my friends, who have supported the grant which I have asked for, that there is a certain amount of misconception as to what gratuitous relief means. Gratuitous relief is very different from what is considered as ordinary charitable relief. Charitable relief means, among its many functions, assistance in the reconstruction of huts. Now, in the case of gratuitous relief, it is only given in the shape of immediate relief to alleviate distress and subsequently of relief to orphans, widows, and the infirm, who cannot be given any other kind of relief. Well, Sir, in this connection, I know a great deal of criticism has been levelled at me for my saying that Government is more or less a business concern, but instead of my taking up the time of the Council with any defence on that point to-day, I wish to read out an extract from the speech delivered by the Hon'ble Sir John Cumming at a meeting of the Bengal Legislative Council held on the 19th November, 1919, in connection with flood relief. I think that sums up exactly what the duty of Government is with regard to gratuitous relief –

> The second point is very important, namely, the necessity for an appreciation of the limitations on the expenditure by Government of money belonging to the State, and here we must have recourse to principles. Let us in the first place examine whether the relief of distress occasioned by a natural calamity is covered by any of the objects for which civilized States are maintained. We have the authority of John Stuart Mill that Government may take upon itself anything really important to the general interest; and we have a long range of authorities from Hobbs and Bentham down to President Wilson of the present day for the proposition that one of the main trust duties of the State is the care of the destitute. If these propositions be accepted it has, in the second place, to be considered what limitations there are on such expenditure, namely, on the expenditure of State

funds for the relief of distress. Here we are dealing with the position in India. Fortunately, the whole question of the delimitation of expenditure on the relief of distress between State funds and private funds has been more clearly enunciated in India than in any western country For an examination of that principle we need not go further back than 1878, when the correspondence between the Government of Lord Lytton and the Secretary of State, who was then Lord Cranbrook, it was stated that Government is responsible, as far as may be practicable, for the saving of life by all available means in its power. The same principle had been enunciated previously in Great Britain in the terms that every civilized society finds it necessary to provide that no person shall perish for want of the bare necessaries of existence. At the same time English authorities laid down a clear distinction between State relief and private charity. This principle was restated at the time of the great 1896-97 famine by the Government of India in the following words "As we have said we accept as our own the responsibility for saving life. But life once secured, our responsibility to the afflicted ceases and our responsibility to the tax-paying public begins.

It is for this responsibility of Government to the afflicted that I ask this grant of Rs. 30,000 for the needy and the destitute. Up till now we have spent Rs. 20,000 on this score and that is why in the departmental memorandum it was stated that the whole of the Rs. 30,000 might not be required for that particular kind of relief. It was not, however, put in in any sense of callousness on the part of Government; but on the calculations of actual requirements that may be possible.

With regard to the question as to why Government did not open an All-Bengal Fund for charitable relief, I shall reserve my remarks for to-morrow, when it will probably be commented upon by different speakers. I hope, therefore, in view of my explanation as to what gratuitous relief means, that this amount will be voted without further discussion.

The motion of Babu Indu Bhushan Dutta was then put and lost.

The original demand that a sum of Rs. 30,000 be granted under the head "43.—Famine Relief and Insurance" for gratuitous relief, was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on **Tuesday, the** 21st November, 1922, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 21st November, 1922, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the Hon'ble Minister for Education and 94 nominated and elected members.

Starred Questions

(to which oral answers were given).

Culverts and bridges on Sara-Sirajganj Railway.

*XXIV. **SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether the Government are considering the desirability of asking the authorities of the Sara-Sirajganj Railway to construct more culverts and bridges along the said line in places where congestion of water generally takes place?

(*b*) What is the average measurement of a culvert on the said railway?

(*c*) Is there any rule regarding the openings which should be made in a mile?

(*d*) If so, has the rule been strictly followed on the Sara-Sirajganj Railway?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): (*a*) In regard to what are known as "accommodation" works, *e.g.*, culverts, bridges, level crossings, etc., the Governor-General in Council, not this Government, has power under section 11 and the following sections of the Indian Railways Act, 1890, to requisition such works as he may decide to be necessary. This Government can only invite the attention of the Government of India to their requirements. The question of drainage on this line of railway is about to be investigated by a special officer appointed by the Railway Board, and the Government of Bengal will wait for his report before taking further action.

(*b*) The average measurement of a culvert depends on the span and the height, and culverts are designed to meet the particular requirements of the locality.

(*c*) The number and size of openings which should be constructed in a mile depend on the number and size of waterways or drainage lines crossed by the railway concerned and must obviously vary according to the nature of the country traversed.

(*d*) In view of the answer to (*c*) above the question does not arise.

Allotments for relief in flooded areas.

***XXV. Dr. JATINDRA NATH MOITRA:** Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) the total sum sanctioned up to date by the Government for the relief of the people in the flooded areas;

(*ii*) what amount has been allotted as "grants" and what as "loans"; and

(*iii*) what are the terms under which the loans are being advanced?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*i*) and (*ii*) The following allotments have up to date been made by Government for the relief of distress in the flood-affected areas:—

Grants for gratuitous relief—Rs. 20,000.

Grants for charitable relief—Rs. 69,000.

Agricultural loans—Rs. 4,24,600.

Another sum of Rs. 2 lakhs will be sanctioned for agricultural loans.

The grants for charitable relief include a sum of Rs. 54,000 given from charitable funds at the disposal of Government; the remaining Rs. 15,000 has been advanced by Government pending adjustment against charitable funds.

(*iii*) The member is referred to the rules in the Bengal Loans Manual, 1918, in accordance with which the agricultural loans are being issued; the rate of interest being 6¼ per cent. per annum.

Appointments under Ministers.

***XXVI. Babu HEM CHANDRA NASKER:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number of new appointments carrying a salary of Rs. 50 and upwards created and filled

'up from the 1st February, 1921, to April, 1922, under the Ministers (save and except the Minister of Education) mentioning their pay, the names of the holders of such appointments and the date of such appointments?

(*b*) Are there any such appointments created which have not yet been filled up?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): (*a*) and (*b*) Two statements giving the required information are laid on the Library table.

Silting up of the Brahmaputra.

***XXVII. Mr. S. M. BOSE:** (*a*) With reference to the answers to my previous questions on the subject, will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what steps are being taken to improve the Brahmaputra near the town of Mymensingh?

(*b*) Are the Government considering the advisability of employing one of the dredgers lately imported from England, for the purpose of excavating the river bed?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) The question of taking observations in connection with the silting up of the river is engaging the attention of this Government. An estimate for the observations has been called for from the local officers and is awaited.

(*b*) The question does not yet arise.

Report on the waterways of the Sara-Sirajganj Railway.

***XXVIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether the report regarding the sufficiency of the waterways on the Sara-Sirajganj Railway line has been examined by the Irrigation Department?

(*b*) If so, when are the Government going to publish the said report?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) A rough preliminary report has been received and a detailed report is awaited.

(*b*) The question does not arise.

Visit to the flooded area by the Hon'ble the Revenue Member.

***XXIX. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the date on which he reached Santahar in connection with the recent floods and visited the affected area and the date on which and the time at which he started for Darjeeling from Santahar?

(*b*) For how many times after his first visit did he inspect the flood-stricken area, when did he so inspect, and what was the duration of his inspection each time?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) I arrived at Santahar on the morning of the 9th October, and left for Darjeeling at 11-1 P.M.

(*b*) It was not necessary for me to inspect the area again, but on my way down from Darjeeling I saw the local officers again at Santahar and discussed the situation with them.

Unstarred Questions

(answers to which were laid on the table).

Clubs in Calcutta conducting lotteries.

61. Mr. H. BARTON: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether he is aware that lotteries are conducted by various clubs in Calcutta in connection with the Derby and St. Leger races run in England?

(*b*) Have the Government any information as to the names and the number of the clubs conducting such lotteries?

(*c*) Are the clubs which conduct such lotteries exempt from the operation of section 294A of the Indian Penal Code?

(*d*) If so, what special conditions have to be met by clubs to obtain such exemption?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) to (*d*) I am aware that many clubs in Calcutta run sweepstakes for their members in connection with the Derby and St. Leger races. Government have no list of such clubs. In no case have Government authorised a lottery, and the clubs in question are not exempt from the operation of section 294A of the Indian Penal Code.

Lady Principal, Bethune College.

62. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state

whether it is a fact that Government intend to appoint a lady not in Government service as Principal of the Bethune College?

(*b*) Is there any reason for appointing an outsider in preference to the claims of the ladies already in the service of Government in the Education Department?

(*c*) Is the Hon'ble the Minister aware that there is a strong feeling amongst the public that the Principal of the Bethune College should be an Indian lady?

(*d*) Are the Government considering the advisability of appointing an Indian lady-member of the Education Department as Principal of the Bethune College?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) and (*b*) The member is referred to the reply given to his question No. 56 on this subject.

(*c*) Government are not aware of any such feeling.

(*d*) The claims of Indian ladies already in service will be duly considered in filling up the vacancy.

Improvements of cotton cultivation.

63. Maulvi FAZLAL KARIM CHOWDHURY: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing, district by district, the area of land put under cultivation for the growth of cotton in 1921?

(*b*) Will the Hon'ble the Minister be pleased to state whether there has been any addition to such cotton-growing soil in 1922?

(*c*) Are the Government considering the desirability of taking any steps for the improvement of cotton plantation in Bengal?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): (*a*) and (*b*) A statement furnishing the information is laid on the Library table.

(*c*) The member is referred to the answer to the starred question No. XXX asked by Babu Nalini Nath Roy at the meeting of the Bengal Legislative Council held on the 3rd July, 1922.

Union boards.

64. Rai HARENDRANATH CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the area in square miles in which union boards under the Bengal Village Self-Government Act have been established;

(*ii*) the percentage of such area to the total area of the district; and

(*iii*) the number of union committees under the Local Self-Government Act in each district which have been replaced by union boards under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919)?

Mr. S. W. GOODE: A statement is laid on the Library table.

Transfer of pounds to the management of union boards.

65. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether the task of the supervision of pounds and their income has been transferred to union boards;

(*ii*) if the answer to (*i*) is in the affirmative, the number of union boards, naming their different districts, to which it has been transferred; and

(*iii*) if the answer to (*i*) is in the negative, what is the reason for it not being transferred?

Mr. S. W. GOODE: (*i*) The management of pounds, with their income, has been or will be transferred to union boards in all districts in which union boards have been formed except in the district of Noakhali.

(*ii*) and (*iii*) A statement is laid on the Library table.

Indebtedness of tenants in Pabna district.

66. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware that *mahajans* are much in evidence in most of the villages of the district of Pabna?

(*b*) Is the Hon'ble the Minister also aware that one of the causes of the decrease in the population of the district is the ever-increasing indebtedness of the tenants?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing—

(*i*) the number of villages in the district of Pabna; and

(*ii*) the number of co-operative societies so far formed there?

Mr. J. T. DONOVAN: (*a*) The Government have no reason to doubt that *mahajans* are much in evidence in most of the villages in the district of Pabna.

(*b*) Government have no information to this effect.

(*c*) (*i*) There are 2,537 villages in the district.

(*ii*) The number of co-operative societies is 527.

Pay and prospects of veterinary officers.

67. Babu SATISH CHANDRA MUKHARJI: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether any final decision has been arrived at as regards the pay and prospects of officers serving in the Veterinary Department?

Mr. J. T. DONOVAN: No final decision has been arrived at.

Expenditure on anti-malarial campaigns.

68. Raja MANMATHA NATH RAY CHOUDHURY: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the amount that has been spent, since he came into office, on anti-malarial campaigns in each subdivision of the Presidency, arranging them in distinct groups, one under East Bengal and another under West Bengal?

Mr. S. W. GOODE: Two statements showing the expenditure during 1921-22 are laid on the table. Figures for each subdivision are not available.

Statement referred to in the reply to question No. 68, showing the expenditure incurred by Government for the distribution of quinine to districts during the year 1921-22.

West Bengal.

	Rs.
Burdwan	7,725
Birbhum	2,532
Bankura	1,686
Midnapur	2,767
Hooghly	4,794
Howrah	544
24-Parganas	5,828
Nadia	5,080
Murshidabad	3,760
Jessore	2,820
Khulna	3,102

East Bengal.

		Rs.
Rajshahi	... ...	1,883
Dinajpur	... ...	2,068
Jalpaiguri	... ...	1,268
Darjeeling	... ...	517
Rangpur	... ...	4,274
Bogra	... ...	1,974
Pabna	... ...	1,268
Malda	... ...	1,880
Dacca	... ...	1,457
Mymensingh	... ...	1,974
Faridpur	... ...	1,598
Bakarganj	... ...	1,692
Chittagong	... ...	1,739
Noakhali	... ...	1,175
Tippera	... ...	1,175
Chittagong Hill Tracts	... ...	376
	Total ...	66,909

Statement referred to in the reply to question No. 68, showing the expenditure on anti-malarial work, during 1921-22.

I.—East Bengal.

		Rs.	A.	P.
Establishment charges	...	5,284	0	0
Contingent charges	...	200	0	0
		5,484	0	0

II.—West Bengal.

(*a*) General—

Establishment charges	...	13,480	14	0
Contingent charges	...	400	0	0
		13,880	14	0

	Rs.	A.	P.
(*b*) Sir L. Rogers' Scheme—			
Establishment charges ...	1,800	0	0
Contingent charges ...	nil		
	1,800	0	0
(*c*) Anti-malarial schemes at Meenglas, Singaran-Toposi, Banka Valley and Jangipur—			
Establishment charges .	6,971	4	5
Contingent charges ..	1,000	0	0
	7,971	4	5
(*d*) Staff employed for the investigation of certain anti-malarial projects in the Presidency—			
Establishment charges	12,420	0	0
Contingent charges ..	1,310	0	0
	13,730	0	0
(*e*) Calcutta Suburban Malaria Survey—			
Establishment charges ...	22,776	0	0
Contingency ..	5,000	0	0
	27,776	0	0
Grand Total ..	70,642	2	5

Income from new taxes.

66. Mr. BIJOYPRASAD SINGH ROY: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing the revenue derived from the three new taxes with comparative figures of the previous year?

(*b*) Are the Government considering the desirability of raising a loan at present for sanitation or to meet the capital expenditure of the Public Works Department?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*a*) The figures so far as available are given below:—

		Rs.
Receipts under the Indian Stamp Act, 1899, as modified by India Acts up to the 1st August, 1921, for 1921-22 up to the 31st October, 1921.		42,76,915
Receipts under the Indian Stamp Act, 1899, as further modified by the Bengal Stamp (Amendment) Act, 1922, for 1922-23 up to the 31st October, 1922.		49,66,812
	Increase	6,89,896
Receipts under the Court-fees Act, 1870, for 1921-22 up to the 31st October, 1921.		1,05,18,608
Receipts under the Court-fees Act, 1870, as modified by the Bengal Court-fees (Amendment) Act, 1922, for 1922-23 up to the 31st October, 1922.		1,12,98,851
	Increase	7,80,243
Receipts under the Bengal Amusements Tax Act, 1922, for 1922-23 up to the 31st October, 1922.		1,08,500

There was no similar Act in force in 1921-22

(*b*) The question of raising a loan to meet capital expenditure on public works is now under the consideration of Government.

Distribution of travelling allowance grants by districts.

70. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether it is a fact that some 10 or 12 years ago there was a system in vogue of making allotments of travelling allowances, district by district, and of placing the same in the hands of the district officers for the travelling of Government officials?

(*b*) What were the circumstances or reasons which led Government to abolish that system?

The Hon'ble Mr. J. DONALD: (*a*) and (*b*) The system of distribution of travelling allowance grants by districts was discontinued in 1912 when this item was provincialised. The old system necessitated

frequent applications for extra grants from local officers and the saving in correspondence effected by the change was considered to outweigh any advantage in the control of allotments formerly exercised by Government.

Alleged kidnapping by Calcutta Goondas.

71. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that the Calcutta Goondas have, of late, begun kidnapping little children from roadsides for ulterior objects?

(*b*) Have the Government taken any steps to ascertain the correctness or otherwise of this allegation?

(*c*) If the answer to (*b*) is in the affirmative, have the Government ascertained how many boys, up till now, have been kidnapped by the Goondas and how many of them have been rescued by the police from the clutches of the Goondas?

(*d*) What action, if any, have the Government taken or propose to take to suppress the pest of Goondaism in Calcutta?

The Hon'ble Mr. H. L. STEPHENSON: (*a*), (*b*) and (*c*) Government have made inquiries. The allegation is reported to be without foundation.

(*d*) Attention is invited to the answer given to starred question No. XI asked by Mr. Tarit Bhusan Roy during the August session of the Council and also to the Goondas Bill published in Part IV of the *Calcutta Gazette* of 1st November, 1922.

Education schemes on Council resolutions.

72. Mr. HUSEYN SHAHEED SUHRAWARDY: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a list of the schemes in the Department of Education referred to in resolutions carried or accepted by the present Council with the approximate cost for each?

(*b*) Of these schemes, how many and which have been given effect to and the extent to which they have been given effect to?

(*c*) How many and which of these schemes have been held up for want of funds?

(*d*) How many and which of these schemes do the Government not propose to accept?

The Hon'ble Mr. P. C. MITTER: (*a*) to (*d*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 72.

The following resolutions were moved and carried in the Bengal Legislative Council during 1921-22:—

(1) Rai Mahendra Chandra Mitra Bahadur moved a resolution that steps be taken for preparing a scheme for the furtherance of vocational education and that practical effect be given to it as early as possible.

A Committee was, by Resolution No. 1331, dated 6th July, 1922, appointed to consider the question. The Committee has submitted an *ad interim* report and is under the consideration of the Director of Public Instruction.

(2) Babu Jatindra Nath Basu moved a resolution regarding the election of Fellows of the Calcutta University.

The resolution in an amended form was carried in the Council and a Bill is under preparation to give effect to it.

(3) Rai Jogendra Chunder Ghose Bahadur moved a resolution that the formation of a Board of Education for the superintendence of secondary schools, general and vocational, be carried out without delay and that, if necessary, legislation be undertaken for carrying out the object.

A Bill is under preparation in accordance with the above resolution.

(4) Babu Rishindra Nath Sarkar moved a resolution that a committee consisting of two financial experts and two members of the Senate and three non-official members of the Council be appointed to inquire into and report on the general working of the Calcutta University, in particular its financial administration and recommend such urgent measures or reforms as may be necessary.

The resolution was carried in the Council. The Calcutta University has submitted their views on it and the question is now under consideration of Government.

(5) Rai Dr. Haridhan Dutt Bahadur moved a resolution on behalf of Dr. J. N. Moitra to the effect that the present age restriction of the Calcutta University for appearing at the Matriculation examination be immediately removed.

The resolution was carried in the Council and Government have forwarded a copy of the proceedings to the Calcutta University requesting to be favoured with their views.

(6) Shah Syed Emdadul Haq moved a resolution that immediate steps be taken to introduce *charka* and hand-spinning in every aided and recognised institution. After discussion an amended motion was agreed to. This motion was that schools of any class wishing and able to introduce into their curriculum satisfactory courses in *charka* and hand-spinning shall be permitted to do so.

A copy of the resolution has been forwarded to the Director of Public Instruction, Bengal, for information and necessary action.

Settlement operations in the flood-affected area of Bogra district.

73. Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to say whether the Government are considering the desirability of stopping, for this year, the Settlement Operations in the 400 square miles in the western side of the Bogra district where a large number of the people are at present homeless?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: It has been decided that settlement work in this area should be postponed to the end of January. There is, however, a little work proceeding on the fringe of the affected area, but it is understood that the inhabitants do not object.

Drainage system in certain parts of Pabna.

74. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that the cultivation of certain arable parts of the thanas Atgharia, Sara and Chatmohar in the district of Pabna is being retarded for the want of a proper drainage system?

(*b*) What action, if any, are the Government taking in this matter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Government have no information.

(*b*) The question does not arise.

North Bengal floods.

75. Dr. JATINDRA NATH MOITRA: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) whether he is aware that Sir Bradford Leslie has stated that the recent floods have no connection with the railway lines in North Bengal;

(*ii*) whether it is a fact that during the recent floods in North Bengal water lying on one side of the railway lines was not of the same level as the water on the other side;

(*iii*) whether it is also a fact that the flood of 1918 also showed similar phenomena?

(*b*) If so, are the Government considering the desirability of drawing the attention of Sir Bradford Leslie to this?

(*c*) Is it in the contemplation of the Government to make an inquiry into the matter of oft-recurring floods in North Bengal during recent

years by a Committee of Experts, both officials and non-officials, and to devise ways and means to prevent such recurrence?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*), (*ii*) and (*iii*) Yes.

(*b*) No.

(*c*) The member is referred to the replies to starred questions No. XVI (*c*) and (*d*) asked by Babu Fanindralal De.

Alleged differential treatment in the matter of licenses for fire-works of Indian and foreign makes.

76. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether it is a fact that, in Calcutta, the dealers and manufacturers of small indigenous fire-works, such as, crackers, squibs, etc., are compelled to take out a license, while the dealers and importers of similar articles of foreign make enjoy exemption from such license?

(*b*) What are the reasons for this differential treatment?

(*c*) Are the Government considering the desirability of putting a stop to this differential treatment?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*), (*b*) and (*c*) No such differential treatment exists. The member is referred to rules 11 (*iii*), 32, 35 and 37 of the Indian Explosives Rules, 1914.

NON-OFFICIAL BUSINESS.

Motion for Amendment of the Standing Orders.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): I call on Professor S. C. Mukherji to move his first two motions asking for leave to amend Standing Orders Nos. 6 and 7 (sections 19 and 20).

I would point out that Shah Syed Emdadul Haq has an identical motion to the first motion of the Professor, but under section 40 (Standing Order 33) his motion will be deemed to be withdrawn.

Professor S. C. MUKHERJI: With your permission, I beg leave of the Council to move the following amendments of Standing Orders. At the end of Standing Order 6 (*i*), section 19 (*i*), the following shall be added, viz., "except in the case of resolutions of which members have indicated their first priority and which remain undisposed of at the end of a session, such resolutions shall, unless withdrawn in the meantime,

be carried over to the next session and shall, together with any amendments thereto of which notice has been given, be set down for discussion for such date or dates available for non-official business in the ordinary course of time and shall be given precedence to the resolutions to be balloted for for that session.

After the words "from time to time" in the Standing Order 7 (2), section 22, the following shall be added, *viz.*, "except as provided in sub-section 1, of Standing Order 6." The amendment of Standing Order 12 ——

Mr. PRESIDENT: Only the first two, please. You can move the other two later on.

Professor S. C. MUKHERJI: According to the system now in vogue, those resolutions of which members have indicated their first priority are balloted for, but at the end of the session all the undisposed of first priority resolutions lapse. At the next session those resolutions are put into the melting pot along with other first priority resolutions and may go to the bottom again, and in this way a member may never get a chance of moving his resolution however important it may be. And that is actually the case now. Take No. 46 by Maulvi A. K. Fazl-ul Haq, No. 54 by Mr. Stark, No. 58 by Babu Satish Chandra Mukharji, No. 66 by Mr. J. Campbell Forrester, No. 97 by Rai Jogendra Chunder Ghose Bahadur. I have only mentioned just a few; there are other resolutions also. Here are most important resolutions which are hanging fire for months together, and if the present system continues, these gentlemen may never get a chance. According to the present system, one member may get a dozen chances, another member not even one. This is surely unfair and unjust. According to my amendment the undisposed of first priority resolutions of one session will take precedence at the next session and this secures a fair chance to every member. There is another big advantage. The Council will have the most important resolutions taken up all the time. Before sending in any resolution, members will pause twice and think of the importance of the resolutions, and they will think it their duty only to send in notice of those resolutions which are of real importance to the country and to the people. With these few remarks I beg to move amendments Nos. 1 and 2 which are consequential thereto.

Mr. PRESIDENT: Professor S. C. Mukherji has asked leave to move the following two amendments:—

AMENDMENT OF STANDING ORDER 6 (*1*) [SECTION 19 (*1*)].

"At the end of Standing Order 6 (*1*) [section 19 (*1*)] the following shall be added, viz.:—

'except in the case of resolutions on which members have indicated their first priority, and which remain undisposed of at the end of a

session. Such resolutions shall, unless withdrawn in the meantime, be carried over to the next session and shall, together with any amendments thereto of which notice has been given, be set down for discussion for such day or days available for non-official business in the order in which they stand and shall be given precedence to the resolutions to be balloted for for that session.' "

AMENDMENT OF STANDING ORDER 7 (2) [SECTION 20 (2)].

"After the words 'from time to time' in Standing Order 7 (2) [section 20 (2)], the following shall be added, viz.:—

'except as provided in sub-section (1) of Standing Order 6.' "

The member asks for leave. Is there any objection to leave being granted?

Kumar SHIB SHEKHARESWAR RAY: I object.

Raja MANILOLL SINGH ROY: I object.

Mr. PRESIDENT: Objection has been taken. Will those members who support please rise in their places?

[More than thirty members rose in support.]

Mr. PRESIDENT: The requisite number having stood up, the member has the leave of the House and his motions will stand referred to a Select Committee in accordance with section 100, Standing Order 61.

Mr. PRESIDENT: I now call upon Professor S. C. Mukherji to ask the leave of the House to move the other two resolutions which stand in his name.

Professor S. C. MUKHERJI: I now move an amendment of Standing Order 12, section 24, and—

Mr. PRESIDENT: I think it will be better if you move the third now, and then move the last one by itself.

Professor S. C. MUKHERJI: At the end of Standing Order No. 12, section 24, the following shall be added:—

"Provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than 10 questions during one session of the Council."

In this amendment, Sir, I have moved that no member should send in notice of more than 10 questions. In the present session, notice of 310 questions has been given, of which 120 have come from one member alone. These 120 were in time; there were 65 more which were out of time. If they had been received in time he would have had 185 questions in his name. Government departments all over the province are

occupied with the task of answering questions. What is the result? Questions are not properly answered, important Bills are not forthcoming; solid work is not being done, and this leads to public discontent. It is high time that we should set our House in order. I have not suggested anything which can by any manner or means be regarded as curtailment of popular rights. My amendment, on the other hand, if finally given effect to, will ensure a most fair and legitimate exercise of such rights. With these few remarks I beg to move this amendment.

Mr. PRESIDENT: Professor S. C Mukherji has moved that at the end of Standing Order No. 12 (section 24), the following shall be added, viz.:—

"Provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than 10 questions during one session of the Council.".

It is necessary that the Professsor do obtain the leave of the Council.

Rai RADHA CHARAN PAL Bahadur: I object.

Mr. PRESIDENT: Will those members who support, please rise in their places?

[More than thirty members rose in support.]

Mr. PRESIDENT: The member has the leave of the House. His motion will, therefore, stand referred to a Select Committee in accordance with section 100, Standing Order 61.

Mr. PRESIDENT: Will Professor Mukherji now move the last motion that stands in his name?

Professor S. C. MUKHERJI: I move an amendment of Standing Order 63 (section 70). After Standing Order 63 (section 70), the following shall be added, viz :—

"Provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than three resolutions during one session of the Council."

In this amendment I have suggested three. I consider this to be ample. It is simply ridiculous that one member of the Council should send in something like 50 resolutions. On this very list one member alone has put in 46 resolutions—one-fourth of the total number of resolutions on the list. Surely we do not wish that one member should monopolise the whole time of the Council. We want to give a fair chance to every member. His Excellency the Governor wants this Council to be a model Council. This means we must be thoroughly businesslike. We shall lose the confidence and respect of the public

if we degrade this Council into a debating club. A large number of resolutions means waste of public time and energy and waste of public money too. With these few remarks I beg to move this amendment.

Mr. PRESIDENT: Professor S. C. Mukherji has moved that after Standing Order 63 (section 70), the following shall be added, viz.:—

"Provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than three resolutions during one session of the Council."

Does any member object to the leave of the Council being given?

Mr. PRESIDENT: No objection being raised, the member has the leave of the House, and his motion will stand referred to a Select Committee in accordance with section 100, Standing Order 61.

Amendment of the Bengal Village Self-Government Act.

SHAH SYED EMDADUL HAQ moved for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

He spoke in Bengali in support of his motion, a translation of his speech is as follows:—

The Bengal Village Self-Government Act was passed in 1919. Some of the members might be taken aback at the idea of the amendment of an Act within so short a space. When the Bill was passed into law, things were not what they seem now. Circumstances have since changed, and we must keep pace with them.

It is eminently desirable that for the words "District Magistrate," in clauses 2 and 10, the words "Chairman of the District Board, in consultation with the District Magistrate or a person authorised by him" should be substituted. The Magistrate of a district is almost invariably a European, and he cannot, therefore, be fully cognisant of the local conditions. It is true there are certain Indian magistrates, but generally speaking, they are so limited that I think it is always better to give a wider scope to the district boards in this regard. As regards clause 3, I have suggested the insertion of two provisos at the end of clause (*m*) of sub-section (*1*) of the existing Act. An opportunity should be afforded to the president or vice-president of a union board, who is removed from office under section 16, to explain the charges preferred against him. He should meet any charges that might have been brought against him and should have a right of appeal to the Hon'ble the Minister in charge of Local Self-Government. So far as clause 4 is concerned, I think, the magistrate should have an advisory board in dealing with matters under section 21 of the existing Act. The board should be composed of members elected, one from each thana or ten or more union boards whichever is deemed

proper. It is hardly necessary for me to enter into details here. The reason is obvious. In regard to clause 5, I think section 27 should include the removal of the plague of the water-hyacinth, and this should be made more specific in the Act. As to clause 6, it is very desirable that the services of the *kabirajes*, *hakims* and homœopathic practitioners should be provided for in the Act. In clause 7, provision is made for the removal of officers and servants by union boards and for giving such officers and servants the right of appeal to the district board.

Mr. PRESIDENT: You must bring your remarks to a close, Shah Sahib. You have had your ten minutes. The next sentence must be the last one.

The Shah Sahib, however, continued speaking although as he said the President had given him "a warning".

Mr. PRESIDENT: It was something more than a warning; it was a suggestion that you should speak one sentence more and sit down. I think you have said all that is necessary. You have had your ten minutes. I think you have said all that you wanted to say.

Shah Syed Emdadul Haq has moved for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919. Does any member object to leave being given?

Rai MAHENDRA CHANDRA MITRA Bahadur: I object and I want to speak a few words.

Mr. PRESIDENT: You can make a statement, but it must be very brief.

Rai MAHENDRA CHANDRA MITRA Bahadur: I beg to oppose the Bill. It is a partial improvement on the old Act. It is necessary that there should be a full inquiry on the subject and the suggestions which have been made in the Bill are not, in my humble opinion, satisfactory. I notice, Sir, that there have been several resolutions in this session for the appointment of a committee regarding amendments of the old Act. My humble submission to the Council is that this Bill should not be passed at the present stage as further information is wanted, full discussion is to be made, and then the Bill is to be put before the Council. It is unnecessary to go into the details at present, but I should only point out to the Council the subject of this appropriation of the road cess for the benefit of the unions. Now if this amount is taken from the district board, the district board will be non-existing. There should also be corresponding improvements in the Bengal Local Self-Government Act; unless that Act be taken into consideration along with the present Bill, there will be an anomaly in the adminis-

suggestion which has been made in the Bill, which appears to me to be extraordinary, namely, that certain officers who have been appointed under the Act and who have certain powers to deal with are considered to be persons who have no powers to deal with certain functions which have not been provided in the Act. These powers would be considered an anomaly again. Going into details it will be noticed by the Council that the vice-president is to be removed by two-thirds of the members of the union board and a suggestion is made in the Bill that this is to be referred to the Hon'ble the Minister in charge. This, in my opinion, is an attack on the principles of local self-government and then the members of the union board will be considered persons who cannot deal with their own affairs. There are many other details which I do not wish to bring to the notice of the Council, because I have a limited time at my disposal, but a casual perusal of the Bill shows that an attempt has been made to improve on certain matters neglecting others which are of greater importance than what are indicated in the Bill. I therefore, Sir, ask the permission of the Council to oppose this Bill.

The motion was then put and lost.

Resolutions

(on matters of general public interest).

Mr. PRESIDENT: The Council will now take the resolutions printed in the appendix to the list of business.

There are 18 resolutions with regard to the recent floods in Bengal. I propose first to call on Babu Debendra Lal Khan to speak. I intend to respect the fortune of the ballot. Then Rai Radha Charan Pal Bahadur will be called upon, and then Shah Syed Emdadul Haq, Babu Debi Prosad Khaitan and then Babu Indu Bhushan Dutta with his amendment, Babu Kishori Mohan Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman Chaudhuri and two others standing in the name of Babu Indu Bhushan Dutta, and then Rai Mahendra Chandra Mitra Bahadur. The remaining resolutions will be deemed to be withdrawn as they are fully covered by these resolutions.

Kumar SHIB SHEKHARESWAR RAY: On a point of order, Sir. I refer to the resolution standing in my name, and I submit that it is not covered by the other resolutions.

Mr. PRESIDENT: I think the Kumar Sahib will find that all he wants done under the resolution standing in his name is covered by one of the resolutions standing in the name of Babu Indu Bhushan Dutta.

Kumar SHIB SHEKHARESWAR RAY: May I point out that under your ruling Babu Indu Bhushan Dutta will have three motions in his name and one member cannot move three amendments?

Mr. PRESIDENT: I have already provided for that contingency. Babu Indu Bhushan Dutta will move his first amendment. He will at the same time be called upon to make one comprehensive speech covering his other two resolutions. He will not be permitted to make three speeches. He will make only one speech. So that point is quite covered.

Withdrawal of resolution.

The following resolution which stood in the name of Babu Debendra Lal Khan was, in the absence of the member, deemed to be withdrawn:—

"This Council recommends to the Government that a representative conference of Bengal zamindars and other non-official experts be at once convened for discussing the question of the chronic state of floods in Bengal and to suggest remedies."

North Bengal floods.

Rai RADHA CHARAN PAL Bahadur: I beg to move that this Council recommends to the Government that a committee of officials and non-officials be appointed to inquire into the causes of floods in North Bengal and to ascertain the extent of damage done to crops and properties and loss of lives in the tract of the country affected by the flood and the measures taken to alleviate the misery and distress caused to the people and what further steps should be taken for that purpose and also what measures should be taken to prevent or minimise the flooding of the areas watered by the rivers in the Presidency of Bengal.

It is needless for me to give a lengthy narration of the devastation caused by the flood in Northern Bengal. It is well-known to the Government as well as to the members of this Council and to all others. Suffice it to say that the area has been practically devastated according to the opinion of one who is not a member of our community, but a European gentleman, who has taken upon himself the philanthropic task of visiting all the places and working for the alleviation of the distress in the tract—I mean Mr. Trotter. He says that the area resembles Northern France and Belgium. Therefore I believe the gravity of the situation is fully realized by the Government, while public opinion on this matter is almost unanimous that it is largely due to the obstructions caused by railway embankments which have been run throughout the country, blocking the natural waterways of the land. In this connection, I find

a committee to inquire into the question of the railway embankments and whether sufficient waterways have been provided or should be provided with a view to averting such calamities in future. Although I am grateful to the Government for taking that step in response to public opinion, I may be permitted to mention one fact, namely, that the Government machinery seems to move rather too slowly nowadays. It was in 1921, or some time before that after the flood in 1918, that the people inhabiting the locality which has been worst affected, namely, Adamdighi, presented a memorial to the Agent, Eastern Bengal Railway, through the Collector of the district for sufficient waterways, bridges, and culverts to be provided at that place. The reply of the Manager or the Agent of the Railway Company, which has been published in to-day's newspaper, shows that he did not consider that these were necessary because in his opinion there was no obstruction of natural drainage in that spot. As fate would have it, and it is an irony of fate indeed, that is exactly the spot which has been hardest hit by the recent flood. However, I am glad to find that this matter will be taken up by the committee which the Government proposes to appoint. But at the same time I think that the distress, the misery, and the untold sufferings, which have been caused to the people in Northern Bengal by the obstruction of the waterways are factors which must be laid at the doors of the railway authorities, and I am informed that in this matter the voice of the people is unanimous in demanding from the Government sufficient reparation for the injury and damage done to the people. Railways are not within the jurisdiction of a local Government. They are controlled by the Central Government of India, which derives the revenues from the railways; and I think if it is found after investigation—as it has been ascertained on non-official inquiry, which, I hope will be borne out by official inquiry—that the distress was caused by the railway embankments and for want of sufficient bridges, waterways, and culverts, this Council through our Government should approach the Government of India for sufficient reparation to the poor people of that part of the country. In fact it has been suggested by an eminent lawyer, a member of our community representing a part of Bengal in the Imperial Assembly—I mean Mr. J. Chowdhury—that a case can be made out against the Secretary of State for damages on behalf of the affected people. Sir, the feeling very reasonably runs high and I believe that in this matter one expects the Government to act much more sympathetically. I have used these words for the reason that although we are supposed to have entered an era of Reformed Government, I yet see the phantom of the old bureaucratic régime still lingering in the horizon. This committee is not only to go into the question of obstruction caused by the railway embankment but also should examine the other question, *i.e.*, the extent of damages done, the extent of miseries and distress, the amount of relief that has been given and that is still required to be given, and all questions relative to the flood and the

havoc caused thereby. That is the purport and substance of my resolution. I do not know if that resolution will meet with favourable response from the Government, but I may say this at once that in these days when the echo of non-co-operation is fading away and I hope it will before long melt away completely, the Government should not stand aloof and non-co-operate with the people. We know very well what eagerness and effort are being shown by the people to co-operate with Government in the matter of relief work in the flooded tract, and I am glad to find that this has been recognized and acknowledged by His Excellency the Governor himself. I believe it would be quite in keeping with the fitness of things if an inquiry into the extent of damage done and the extent of distress caused and the measures taken and should be further taken is also initiated by Government, and a committee of officials and non-officials is also appointed. I do not know the personnel of the committee that will be appointed to go into the railway question. I hope I am wrong, but I fear it will contain only experts. We know very well that the term "experts" contains a dubious meaning. If it is composed entirely of experts, the inquiry may be confined to men connected with the railway. But I think in these days of popular Government it is necessary to have laymen in the committee who are conversant with popular wants in that part of the country, and I am sure their services will be of great benefit to the country. I think, therefore, that the Government would do well to accept the resolution which I have the honour to place before the House.

Before I sit down I ought to acknowledge publicly on behalf of my countrymen the splendid services that have been rendered by the non-official agencies headed by Sir P. C. Roy and others in that tract. Sir, a young man, a brilliant gem of the University, who came out with flying colours at the competitive examination of the Indian Civil Service in England has devoted his best energies to the services of his suffering fellow-countrymen in that part of the country. Those who have gone over that tract, those who have seen the miseries of our countrymen there, are all struck by the self-sacrificing work that he is carrying on in the teeth of all difficulties. At the same time I think I should be wanting in my duty if I do not acknowledge the work that is being done by the Government officers in this connection, notably by the Collectors of Bogra and Rajshahi. I have asked for the appointment of a committee not merely to go into the question of railways but also into the question of damages done and to the extent of distress and the adequacy or inadequacy of relief that is now being given by this Government and by the non-official agencies and other cognate matters relating to the flood, for these reasons specially because it is well-known that a circular letter, which has been published by the Collector of Rajshahi, emphasises the fact that Government relief is not adequate, and further the Collector has appealed for more non-official help in this work. That shows that there is need and scope for

co-operation between the Government and the people, and I am sure that this inquiry, if it is conducted by mixed committees of officials and non-officials, will be such as to inspire public confidence and also to stimulate public co-operation, and public philanthropy and to enable the public to know the extent of the distress caused and the amount of relief that is still necessary. I have nothing more to say. May I hope that this resolution will commend itself to the Government?

SHAH SYED EMDADUL HAQ moved that this Council recommends to the Government that a committee, of whom two-thirds shall be non-officials, be appointed immediately—

(*a*) to inquire into and report on the causes of the recent floods in North Bengal and nearer villages of Comilla town;

(*b*) to recommend such steps as may be necessary to prevent the recurrence of the devastating effects of such floods in Bengal; and

(*c*) to inquire into and report as to what means should be employed to help the people of North Bengal and nearer villages of Comilla town who have been affected by the flood until such time as their crops re-appear and normal times return.

He spoke in Bengali in support of his resolution. The translation of his speech is as follows:—

The famous Persian bard Sadi Shirazi has sung *Bani Adam Azae Enk Digar Und*, which means that a man is but a part and parcel of another man. The maxim implies that the whole body of a man becomes painful if a single part of it is hurt. Similarly, if a particular country or a portion of a country is inundated, the inhabitants of other countries cannot but feel for the people thereby affected. This is, Sir, human nature. It is, therefore, that I have put in this resolution with a view to devise ways and means for the prevention of the recurrence of such a dangerous ill in future. In moving my resolution I shall be brief as there are several members in this House to-day who have sent in similar notices of resolutions.

My friends' resolutions are confined only to North Bengal, mine includes "nearer villages of Comilla town" also. Almost every year the district of Tippera is subject to a heavy cataclysm, and the people of this district have necessarily to encounter the dire consequences. Tippera is flooded this year too. There is no embankment on the river Gumti and on the Assam-Bengal Railway line. This is the chief cause of deluge there.

The recent floods have seriously told upon the lives and properties of the people of North Bengal and Tippera. It is now incumbent on us to see that normal conditions are soon restored in order to place the people in a position to revive their agriculture on a satisfactory footing, to build up their habitations, and to restore equilibrium in their

walks of life. The sum of Rs. 30,000, which the Government have earmarked for this purpose, is certainly too scanty a sum. We hear every day from the Government side that money is tight at present, that the Government are effecting retrenchments in all directions, and that they are trying to stabilise their financial situation. At the same time the Government indulge in glib talk that they secure the safety of the people, protect their interests and look after the lives of the dumb millions, who have no hearth and home. But when the question of luxuries in the shape of palatial buildings and furniture, etc., arises funds are forthcoming in abundance, and, lo and behold! only Rs. 30,000 for the amelioration of the miserable condition of the flood-stricken people of North Bengal. The mass starve and the few gorge. Is this justice? Is this humanity?

The Bengal Legislative Council in the pre-Reform days looked upon the people of Bengal with a kindly eye. The grants which they made in matters like this were liberal. The present Council, although composed of large-hearted Government officials, I must own, is always hampered in its discretion and cannot, therefore, do full justice to urgent demands of this description. I would, however, beseech the Government that some concession be made for the relief of the sufferers in North Bengal and Tippera, and I hope and trust that the grant will be substantial.

Babu DEBI PROSAD KHAITAN: I beg to move that this Council recommends to the Government the immediate appointment of a committee (on which local non-officials shall be adequately represented) to investigate into and report upon—

(*a*) the causes and permanent remedies of the frequent flood in Bengal;

(*b*) the nature and extent of the damage done to the people of the province by the recent floods, and the amount and nature of compensation and relief to be paid and given to the sufferers;

(*c*) the apportionment of responsibility on the Railway Administrations, the Provincial Government and the municipalities, district boards and local boards and other bodies and the respective amounts of compensation, if any, payable by them; and

(*d*) matters incidental to the floods generally and the distress caused thereby.

In moving this resolution I am not forgetting that the Railway Board have appointed an engineer to investigate the relationship of the floods with the railway embankments, but that is not enough for the simple reason that the question of relief and the liability of the Railway Administration and the Government, and other bodies mentioned

in my resolution, will not be gone into by that officer and consequently we cannot afford to forget that the people have not much confidence in the Government. The recent agitation that has been carried on, the large number of articles that have appeared in the newspapers expressing their diffidence in the conduct of the Government in regard to the flood should lead the Government in their own interests, to seek the co-operation of non-officials in this matter for a full inquiry. The reason why I ask that local non-officials should be adequately represented on the committee that I am asking for is this: those who have practised as lawyers know that although their clients are laymen still I believe they, in a certain manner, are able to make suggestions which are very valuable even to the expert lawyers. Many cases are decided on materials brought and opinions expressed by laymen and there is no reason whatsoever why laymen should not be able to do sufficient services, very valuable services, in regard to the matter of an inquiry of this kind. Secondly, inasmuch as my resolution does not require inquiry only as to the question of railway embankments or even the embankments on district board roads but also an inquiry into the distress that has been caused and the relief that should be given, the local non-officials will be able to render valuable service in that inquiry on these matters. It is well-known that local non-officials feel very strongly on that point. It is they who have suffered. It is their countrymen who have suffered. It is their friends and relatives who have been subject to the miseries caused by these floods and, Sir, I hope that the Government will seek the co-operation of local non-officials in a matter of this nature on which there is so much feeling in the country. My resolution divides itself into several parts and they are quite obvious. The first is the cause and permanent remedies of the frequent floods in Bengal. So far as the causes are concerned, there is ample evidence before us to make out a *primâ facie* case that the railway embankments and the embankments of district and local boards have contributed to a large extent to the floods that have caused such devastation in the province and that they must be permanently remedied. Whatever the immediate relief given, whether sufficient or insufficient, it does not matter, adequate steps must be taken to ensure that such floods may not occur in future.

Then there is the question of the nature and extent of the damage done to the people of the province by the recent floods, and the amount and nature of compensation and relief to be paid and given to the sufferers. Whether the floods have really been caused by the embankments or by the mistakes committed by the experts, whether of Government or of local bodies, it does not matter, but the people who have suffered must be compensated—those people who do not know how to continue their lives after this devastation must be amply compensated. I have received ample evidence through representatives of the Marwari Relief Society to prove that the people have not a farthing even

to buy seeds for the next season's crops; people have not got the means whereby to live until the next harvest, and have no cattle to plough their fields. How are they to live unless adequate relief is given to them? It is a matter in which Government ought not to stand on its legal rights or the general principles of jurisprudence. It is a question of life and death to the people, and I hope Government will not lag behind in a matter of this nature, but will come forward to co-operate with the public in compensating and relieving the sufferings of the people who look to them not only for protection but also for help in time of disaster.

Then, Sir, some amusement may be caused by the third part of my resolution, which relates to the apportionment of responsibility on the Railway Administrations, the Provincial Government and the municipalities, district boards and local boards and other bodies and the respective amounts of compensation, if any, payable by them. I may say that I have not sent my resolution without a due feeling of responsibility in the matter. Government or the Railway Administration or the district or local boards may stand on their legal rights, but those who administer the Railways etc ought to know how such a calamity should be met. It is a question whether the conversion of the metre gauge into broad gauge and the consequent heightening of the railway embankments does not bring the railways within the purview of the law. But whether the Railway Administration or other bodies come within the purview of the law or not, it does not matter. The whole of India has benefited by the railways, the whole of India has benefited by the cheapness with which the railways have been built because of sufficient culverts not having been provided, and it is now for the whole of India to pay for the misery that has been caused to the people by the same embankments. We know of cases in India itself where special legislation has been passed to grant compensation and relief to people in cases of a special nature, we know of cases in the Punjab and Bombay when mobs caused disaster to the people, when mobs caused destruction to Government properties, and the people were made to pay. It is now for the Government to pay back the people what they have lost by the mistakes of their officers and so-called experts. There could be no difficulty in passing a special legislation at least for the compensation of the very poor people.

Whether the special legislation for the purpose of compensating these poor people is introduced either in the Legislative Assembly or in this Council, I doubt not that people who are able to pay will not grudge the contribution that they may have to pay to compensate these poor. Kumar Shib Shekhareswar Ray was very vehement in saying yesterday that the zamindars had done their duty; but people and the press say that they have not. However, that is a question, if my resolution is accepted, to be decided by the committee as to what

contributions should be levied to ameliorate the very miserable condition of the people who have been the victims of these floods.

With these words, I put my resolution for the acceptance of the Council.

Mr. PRESIDENT: Before I call upon Babu Indu Bhushan Dutta to move the amendment standing in his name, I would request him to make one comprehensive speech which will cover his amendment and also his other two resolutions.

Babu INDU BHUSHAN DUTTA: I have been asked to move my amendment as well as the resolutions in the same speech. I hope you will kindly permit me to take advantage of the 30 minutes which is ordinarily given for the mover of an original motion.

Mr. PRESIDENT: We will see how you get on. There is no knowing what you can say in 15 minutes: you should try to finish within the allotted time.

Babu INDU BHUSHAN DUTTA: I move, by way of amendment, that, in the resolution of Babu Debi Prosad Khaitan about floods, the following amendments be made, namely:—

(*i*) for the words "on which local non-officials shall be adequately represented" the words "on which there shall be some non-official members of this Council and which shall co-opt an adequate number of local non-officials in connection with local investigations" be substituted;

(*ii*) in clause (*a*), after the word "causes" the words "immediate preventive measures" be inserted;

(*iii*) in clause (*b*), after the word "floods" the words "in North Bengal, Tippera and elsewhere" be inserted; and

(*iv*) in clause (*c*), after the words "other bodies" the words "and parties" be inserted.

I suppose I ought to be pleased to learn that the Government have decided to appoint a committee, but my experience of committees is not always happy. There are committees to solve matters as well as committees to shelve mattets. Everything depends upon the personnel and the scope of the committee. Without knowing the personnel we cannot be satisfied with the mere assurance that a committee is to be appointed. An inquiry has already been started by the Railway Board, but I am sorry to bring it to the notice of the Council that the popular feeling is that that inquiry may be a white-washing affair. People have no confidence in that. Let us hope that this committee may not degenerate into a white-washing affair. As regards the scope of

inquiry of this committee, I understand that only the causes and remedies will be considered by the committee. I must confess that I am not satisfied with such a meagre inquiry. The mere fact that Government have decided to appoint a committee is *primâ facie* evidence about the want of sufficient culverts, which has been alleged to be an important cause of these floods. But I want to insist on this, that not only is there *primâ facie* evidence against the railway authorities as to their gross and culpable negligence, but also that the Government have failed to protect the interests of the public.

As early as 1871, more than 50 years ago, there was a great flood in North Bengal. In the District Gazetteer of Rajshahi, we find it is stated that this flood reached the highest water-level. But what was the result of that flood? The result was that the damage to the crops was negligible. How was it that the water rose to a very high level and yet the damage was so negligible? The reason was this: There were no railways in Northern Bengal then; there were no railway embankments to hinder the flow of the water and the water passed away as quickly as it came and, therefore, there was not much damage to the crops. All the water went southward, till it got obstructed by the railway embankment of the Eastern Bengal Railway, with the result that there was a great flood in Chuadanga, of which Sir Henry Cotton was the then Subdivisional Officer. This is what Sir Henry Cotton writes in his book, *Indian and Home Memories*, page 89—

> The embankment of the Eastern Bengal Railway, which then provided altogether insufficient waterway, was breached by this flood in several places

Here was an Indian Civil Service Officer, a limb of the businesslike Government (not a Congressman, for Sir Henry was not a Congress President till long after), complaining of the insufficiency of culverts. That was more than 50 years ago. I ask the Government, what action have they taken since then? Did they approach the railway authorities for remedy, or ask the Government of India or the Secretary of State to remove this menace? I am afraid not.

Then, in connection with the question of malaria, during the last 25 or 30 years, we have been seriously complaining week after week, month after month, that the insufficiency of culverts in railway embankments is obstructing the proper drainage of the country and causing malaria. What has the Government done to remove this evil? Have they approached the railway authorities, have they tried to compel the railway authorities to increase the number of culverts? I am afraid not. How have the railway authorities faced this problem? As late as April, 1921—only a short time ago—some people of Adamdighi applied to the Agent, Eastern Bengal Railway, through the District Magistrate of Bogra, that a bridge was necessary between Adamdighi and Nasaratpore, the villages where the flood occurred and what was

the reply of the Agent? The reply I believe, was as follows. It was dated 28th October, 1921, about a year ago —

With reference to your letter No. 72-T. D. of the 25th April, 1921, forwarding a petition from the inhabitants of the neighbouring villages of Adamdighi for a bridge on the railway line between Adamdighi and Nasaratpore, I have the honour to state that our investigations do not show that a bridge is necessary.

If this is not callous, I do not know what is. The people of certain villages apply to the railway authorities through their District Magistrate for a bridge opening, and they are told that it is not necessary. Sir, nature has had her revenge, for it is just at this place that the floods made a breach, where the railway authorities would not. This is not a solitary case. In my own district of Tippera, which was once a sanitarium in East Bengal, but which is now getting unhealthy, the people think that the growing unhealthiness is mainly due to want of culverts and proper drainage of the country. Only a year ago, they sent a representation to the Assam-Bengal Railway authorities for more culverts near Kasba in Tippera, and what reply did they receive? The same sort of unsympathetic reply. The railway authorities have done nothing and the position remains the same—we are at the mercy of the railway authorities What can we do? Government, as the custodian of the people's rights, liberties and interests should compel the railway authorities to listen to the people's voice. That has not been done in the past, and we have a right to demand compensation both from the railway authorities and from the Government. When the Sara-Sirajganj line was built, I have it stated on the authority of an article that appeared over the signature of Dr. Meghnad Saha, in the November number of the *Modern Review*, that there was a strong rumour that the Commissioner of the Rajshahi division had a tough fight with the Chief Railway Engineer for the provision of sufficient culverts, but with what result, we all know but too well.

I have heard it stated that the local Government had no authority in the matter. I have some information from a retired Government Officer, and I hope the Hon'ble the Member will correct me, if I am wrong. I learn that the local Government issued circulars to all Superintending Engineers of the Public Works Department in which they were directed to give opinion, when consulted by Civil Officers, on the number and sufficiency of waterways for drainage on projected and existing railway lines; that was in 1905 and repeated in 1913. What further action has been taken on them? Nothing; nothing that I know of. Have there been any reports about the culverts and drainage? These are serious allegations based on facts—no sentiment, nothing of the sort—quite businesslike. With these facts staring the railway authorities in the face, I do not see how they can shirk the responsibility for compensation. It is no wonder that my respected

friend, Mr. J. Choudhury, a Member of the Legislative Assembly, who is a very moderate politician, should say that the people may sue the Secretary of State. He is a lawyer himself and ought to know the position very well. Therefore, I say that the scope of the committee of inquiry ought to include the question of compensation.

In connection with the flood in 1871, of which I have just mentioned, Sir Henry Cotton said in his book, referred to, that the patience of the people was admirable beyond description Of course, we are a patient, long-suffering nation. But this patience has been our curse. We have been patiently waiting for years, and that is why the railway authorities have dared to ride rough-shod over public opinion. Our patience must cease now and we must take up our fight and compel the railway authorities to face the situation and make amends for the loss that has been caused by the floods I charge the railway authorities with gross negligence in this connection, and the Government with having failed to protect the interests of the people

There is another matter which I should like to bring to the notice of this Council. About a couple of years ago, Government in the Irrigation Department took up the protection of the Gumti embankment in Tippera, because, evidently, the Tippera Raj, who was in charge of the embankment was not able properly to manage the work. We thought, Government would manage the embankment better. Government are levying an embankment tax upon the people to ensure them protection against floods, and what was the result? This very year, in the month of October, that embankment broke through, with the result, that there was a flood and great loss to the people. The people of Comilla, like myself, are not very patient. They held a public meeting and wrote to Government demanding compensation. That letter is now lying with my friend, Mr. Huntingford.

It is now necessary to come to the extent of damage that has been caused by these floods. I have carefully gone through all the official documents, but I am still in the dark as to the exact or even an approximate money-value of the damage caused I have studied the *communiqués*, but I do not find any estimate there. They only say that a certain percentage of crops, houses and so many head of cattle have been destroyed—there is absolutely no statement of the loss in terms of money though there are many percentages. It may be one lakh, it may be ten lakhs, it may be one crore, it may be ten crores, it may be anything, nobody knows. After the publication of these absurd *communiqués*, one enterprising journalist published the copy of an appeal issued over the signature of the District Magistrate of Rajshahi and my friend, Babu Kishori Mohan Chaudhuri, in which it was distinctly stated that the loss was four crores of rupees. Here was something definite. A loss of over four crores of rupees, nearly a

third of the total revenue of Bengal. This caused quite a consternation, and the Publicity Department—that costly and useless department—which has been frittering so much energy over subtle *communiqués*, came out with the letter of Mr. Reid, the letter on which the *communiqué* had been based; that letter was more valuable than the *communiqués*, because that letter gave out the facts that 80,000 houses and 2½ lakhs of acres of land had been destroyed in Rajshahi alone. Now, calculating the price of a house at Rs. 15 a very modest calculation, the value of the houses comes to more than a crore. Calculating the value of the crops at the rate of six maunds of rice per bigha, at Rs. 5 per maund, a very modest calculation it comes up to two crores of rupees, that is, in Rajshahi district alone, you have got a loss of more than three crores of rupees. If we take the number of the cattle destroyed, loss of Ganja crop, and add the cases of Bogra, Dinajpur and Pabna, the total loss must be more than 5 crores of rupees. Here is a calamity indeed! The Government reports do not convey any idea of the great devastation caused. Mr. Trotter, of the Young Men's Christian Association, and Mrs. Lee visited the areas and did much benevolent work. Their description of the damage is graphic, accurate, and heart-rending. But, I forget, Sir, that they being true Christians, must be regarded as sentimental persons indeed. If the Government is a business-concern, and not a sentimental charity institution, as described by the Hon'ble the Member in charge, I, as a hard-headed businessman, demand that the extent of the damage should be made the subject of inquiry. We heard yesterday the difference between gratuitous relief and charitable relief. Of course, we knew something about this; but what we want to know is whether the estimate of the Collectors, namely, Rs. 98,500 is quite enough to meet the situation for the purposes of charitable relief. As far as I know, some of this charitable relief is given to help the people in rebuilding their houses. If Rs. 98,000 only is required for rebuilding 80,000 houses—one rupee per hut—then house-building must be very cheap indeed in Rajshahi. Considering the extent of the damage, it was clearly the duty of Government to take up the question of relief in right earnest. We have not yet forgotten the splendid organization set up by Government in 1919. Why was it not repeated this time? If they had done so, it would not have been necessary to set up so many private charitable institutions. Government have an organized staff of paid servants, by whom the relief operations might be managed very well indeed. Why did they not start an All-Bengal Relief Fund? I need not go on to say that had it not been for the splendid organization of the great Sir Prafulla Chandra Roy, there would have been a number of deaths from starvation and disease. There has already been a case of suicide. The position is very serious and Government have not done all that they ought to have done. Why was not this done? Has the mentality of the Government changed for the worse after the Reforms? The

time has come when the Famine Insurance Fund and the question of relief should be made a transferred subject, so that it may be managed by people who can be made constitutionally responsible to the people. I, therefore, hope that the committee, which we are going to have, should be a representative one and should thoroughly go into all the aspects of this terrible flood. After we have got the report of the committee, we shall know what action to take.

I also formally move the two other resolutions which run as follows:—

"This Council recommends to the Government to appoint (or to move the proper authorities to appoint) a committee consisting of experts and some non-official members of this Council to inquire into and report as to whether the existing culverts and bridge-openings in railway and other embankments and roads in Bengal are sufficient for the proper drainage of the localities concerned and also to draw up a comprehensive scheme for proper drainage, if the present arrangements are found unsatisfactory."

"This Council recommends to the Government that a committee of experts, official and non-official members, be appointed to inquire into and report on the causes of the frequent floods in Bengal and to suggest possible remedies."

Kumar SHIB SHEKHARESWAR RAY: To my mind, there is no use brooding over past grievances specially when we find, that the Government is quite sympathetic and has expressed itself as willing to appoint a committee of inquiry. But the difficulty is with the railways which are a special province of the Government of India. We do not know whether any recommendations made by a committee appointed by the local Government would bind the railways too. I think the matter should be made clear before hand with the Government of India, for otherwise it would only mean so much time and labour lost. Further, the Railway Board have already appointed an expert to inquire and report on the matter. When the Railway Board are making inquiries on their own behalf, would the recommendations made by the Government of Bengal have any weight with the Railway Board? I am really afraid that if so many inquiries are made by different authorities and at different periods, their labours are bound to overlap and conflict of decisions too seems to be inevitable. All this again means an inordinate delay if not a shelving of the question altogether. What the people of the locality want is that some finality in the matter should be reached as early as possible, and whatever be thought as proper relief, it should be afforded without any unnecessary delay. I would therefore request the Government to consider the position, and approach proper authorities to eliminate all these possible complications. The Railway Board Engineer may sit in the Bengal Government Committee, and help and have the help of the other members.

Further, Sir, I do not know what the constitution of the committee proposed by the Government would be, but I would request the Government not to make it, as it has been stated in the *communiqué*, to be an all-expert committee. It can be urged, no doubt, that the committee would have to deal mainly with engineering problems, and hence the engineers are the best persons to sit on it. Surely they are; but that is not the whole thing. The people must also be convinced that the committee is not perhaps going to be a close coterie of engineers bent on white-washing the sins of commission and ommission of their brothers-in-trade, the Railway Engineers. The Government have got to deal with the people, and it is in the prime necessity to the Government always to work in such a way as to inspire confidence in their minds. If some gentlemen, who command the confidence of the general public and especially of the locality, sit with the learned engineers. I dare say that both the layman members and the experts would not only benefit immensely by one another's association but the people also would be satisfied that their point of view too had been considered and that justice had been attempted to be done, and that the committee had not been a mere hole-and-corner affair.

Then, Sir, the argument of its being a technical matter, above the heads of laymen, does not appear to me very sound. For, Sir, a fairly intelligent man with some amount of common sense, can surely understand and even take a sensible view of highly technical subjects. And, Sir, if it were not so, I do not know how this Government itself presided as it is by a layman—I mean the Honb'le the Maharajadhiraja Bahadur of Burdwan, who knows as much of engineering as any of us does—would be able to take any action in the matter. My resolution has been disallowed. I am, however, thankful that you have allowed me to speak and enabled me to bring to the notice of the Government our views on the subject of the appointment of a committee. I once more wish to impress upon the Government that the community whom I represent here are prepared to leave the question of ways and means entirely in the hands of Government; we only want that whatever action Government decide to take to prevent the recurrence of floods, should be taken without unnecessary delay.

Babu KISHORI MOHAN CHAUDHURI: I am in the position of a complainant and am a sufferer by this flood as I am an inhabitant of North Bengal. In the Government *communiqué* we have been assured that Government have determined to appoint a committee of official and non-official experts to inquire into and report on the causes of the floods in the Rajshahi division and to suggest remedies: the personnel of the committee will be published later and their attention will be especially directed towards an inquiry into the effect of the railways and roads in the area upon the natural drainage of the country. I am sorry to refer to another solemn assurance of Government given four years ago. In November, 1918 I moved a resolution in this

Council just after the flood of that year and suggested that the railways were responsible to a great extent for the unprecedented flood at that time. In that flood an area of about 120 square miles was affected but on this occasion, according to the Gierman *communiqué* nearly 1,500 square miles have been affected and more than 10 lakhs of people have suffered more or less. So within the space of four years a flood at least 12 times greater than the flood of 1918 has taken place. The Hon'ble Mr. Cumming then told us that the flood was not a new thing in Bengal but it was not an everyday occurrence. We were told then that the previous flood occurred in the year 1869, that is 50 years before that flood. But on this occasion it is only within four years that this unprecedented flood has occurred. Railways are being added and our miseries are becoming greater day by day. I cannot refrain from quoting a few lines from the speech of Mr Healy Hutchinson. He said—

The motion under discussion raises the question of railways in a river country. When railways are constructed in this country it is in the interest of the Engineers who make a preliminary scheme to see that this scheme gives as much chance of profit as possible, and it is my experience that they do so at the expense of the flooding of the countries and at the expense to a certain extent of the agriculture of the country generally I therefore feel very strongly that an inquiry should be made

The Hon'ble Mr. P. C. Mitter also urged on that occasion that an open inquiry was urgently needed. Fortunately, he is now in the Government and I hope that although nothing was done in spite of the solemn assurance that was given on the last occasion, no such thing would happen on this occasion. I withdrew the motion on the assurance of the Hon'ble Mr Cumming who said that an inquiry had already been instituted and the needful would be done. But unfortunately, Sir, four years have elapsed and I do not know what has been done during this time This is my complaint against Government. The first and foremost duty of Government is not only to maintain peace and order but to preserve the lives and property of the people committed to its charge. It will be seen from the Government *communiqué* that Government make a distinction between gratuitous relief and charitable relief For gratuitous relief the estimate was for 7,000 people from Bogra and 8,000 from Rajshahi, *i.e.*, a total of 15,000 people had to be fed for about 40 days Taking the price of the food and the incidental expenses for procuring them I think the lowest calculation can safely put at 4 annas per head, and, if so, at least Rs. 3,750 will be required per day, that means Government will have to spend nearly Rs. 1½ lakhs. But we heard yesterday from the Hon'ble the Maharajadhiraja Bahadur of Burdwan that even Rs. 30,000 may not be required. Of course, we have heard to-day that there is another sort of relief namely, charitable relief for which the estimate is Rs. 25,000 for Bogra and Rs 58,000 for Rajshahi for the reconstruction of houses, clothing, fodder; etc., but nothing is said about

an area of about 350 square miles sown with winter rice in the Natore and Naogaon subdivisions of Rajshahi has suffered a loss of 75 per cent. and upwards and an area of 100 square miles will give a very small outturn. This will give us some idea as to the extent of the damage.

I did not raise in my resolution anything about compensation because I knew that compensation is being given by the district boards, by Government, and to a certain extent by the general public—of course to the poorer section only. The well-to-do people will have to think for themselves, but they may take the help of Government loan. It is estimated that about 5 or 6 lakhs would be advanced as loans but that would be quite inadequate. As I have said, Government's duty is to save the lives and property of the people, and on this occasion it was the duty of Government either to advance a sum from the public funds or to issue an appeal to the general public. This was a complaint against Government.

Now I beg to move that a committee is wanted not for the purpose of assessing the damages caused, not for the purpose of providing relief, but to consider what preventive measures should be taken to stop the recurrence of these floods. I am a pleader and I may be pardoned if I have suggested a committee on the line of the thinking of a pleader. I think in this matter the Government of India is the final authority to decide as to what action should be taken because the Railway Board are concerned in this matter, and I have therefore suggested that the committee's work should be simply to collect necessary materials to give the Government an idea as to how the matter should be dealt with, and in this view I have suggested that the railways may be represented there The Railway Board have appointed a committee which I think they have done for self-defence. In our committee there should be a non-official expert engineer as a sort of Public Prosecutor. I have also suggested the name of Dr. Bentley who should be another Public Prosecutor. In his last report on malaria he says that unless the embankments are dealt with properly and unless and until the natural drainage of the country is restored so as to give an outlet to the rain water, the problem of malaria cannot be properly tackled and the country will be depopulated in no time. It would do mischief not only to agriculture and property but depopulation would be the result. That is the emphatic opinion of Dr. Bentley I have, therefore, suggested that Dr. Bentley should be one of the members and I have also given a chance to the district board representatives to be there. Their district engineers should be there to say what they have got to say—whether their embankments are responsible or not for the floods. As the blame has been thrown to a certain extent on the railways, I have suggested that a representative of the railway should be there in order that both sides may be well represented. I have also suggested that my poor self should be there because I am in the position of a complainant. I should be there

to help the inquiry and to see that proper action is taken and proper materials are placed before the committee. In this way I have suggested a committee of seven members.

I formally move the following resolution :—

"This Council recommends to the Government that a committee consisting of seven members, viz., one expert Indian non-official engineer, one expert engineer-representative of the Eastern Bengal Railway, Dr. Bentley, the District Engineers of the district boards of Rajshahi, Bogra and Pabna, and the mover, be appointed immediately to inquire into and report as to the causes of the unprecedented flood of September last in North Bengal and that immediate steps be taken as remedial measures for preventing its recurrence."

Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: You have all heard of the destructive flood that lately took place in North Bengal and some of you, taking keen interest in the matter, have visited the affected area and seen with your own eyes the loss it has caused to the people living there, in the shape of house-property, cattle and agricultural implements. In the Bogra district, where the affected tract forms an area of nearly 400 square miles, the destruction has rendered nearly two lakhs of people homeless. Any one going round the area will not find more than three or four huts standing where 400 stood before the flood. About ten thousand cattle perished as a result of this flood in the Bogra district alone. Their decomposed bodies or skeletons still present a rueful sight.

The cause of this flood has been ascertained to be an insufficient number of bridges and culverts along a portion of the Northern Section of the Eastern Bengal Railway and the whole of the Sara-Sirajganj line for free passage of water. That the obstruction of the free and natural drainage of the country-side by the railway embankments is principally, if not solely, responsible for the devastation, will appear from a glance at the map of the district, and the point is brought out more clearly by the fact that the difference in the level of the flood water on either side of the embankments was not less than four feet. The breaches on the railway lines conclusively show that the flood water, in high pressure, burst out in all directions, causing breaches while the railway lines obstructed its natural flow.

It may be stated that traffic on these lines was entirely stopped for some time to the great inconvenience and loss of the public.

A portion of the Sultanpur-Brahmaputra line, from Santahar to Bogra, was so greatly damaged, that traffic on this section has not yet been fully resumed.

No such calamity ever befell the people of North Bengal within the last 50 or 60 years, and I think, I do not exaggerate facts, when I say, that the affected area now looks like one of the European provinces destroyed by the Great World War, of which graphic account we read

in the newspapers. Government have graciously spent nearly Rs. 12,000 for gratuitous relief, but with the fund started by the public-spirited gentlemen, headed by Sir P. C. Roy, Kt. to which all feeling people of the country have contributed their mite, is working wonders, I take this opportunity of publicly expressing my gratitude to the organizers of the fund and those distributing it among the sufferers.

But when we consider the magnitude of the destruction and the damage caused by the flood—for you must bear in mind that at the lowest computation the loss of properties is four crores of rupees and that nearly a million men have been rendered homeless—the relief so far advanced by the Government and the public is hopelessly inadequate. So we must go to the root of the matter and restore the natural drainage of the country so as to render such visitation well nigh impossible in the future. Had there been a sufficient number of bridges and culverts in the railway line, water would not have collected at all, but would have flowed freely over a large part of the country down to the great Padma in the south. Some of those who have had the privilege of speaking before me have hinted at the appointment of committees of inquiry, into the examination of the entire railway system and its defects in the construction of bridges, but I think the appointment of such committees hardly necessary for the simple reason that, as far as public opinion is concerned, it is already unanimous that the cause of the late flood was an insufficient number of bridges and culverts. With these remarks I beg to move the following resolution standing against my name and hope that it will be unanimously adopted:—

"This Council recommends to the Government that the Railway Board be requested to take immediate steps to increase the number of bridges and culverts on the—

(*1*) Santahar-Teestamukh,

(*2*) Sara-Sirajganj lines, and

(*3*) The Panchbibi-Abdullapur section of the Darjeeling Main Line."

Babu ANNADA CHARAN DUTTA: After the detailed descriptions of the floods, it is no longer useful to dilate any further upon it. Still the visitation is so dire in its consequences, so painful to contemplate, that unless one is absolutely heartless, or has not got no feeling and sentiment he cannot but join in the plaintive notes which have been raised all over the country. We can only say that in this dire calamity the people of the affected area have our sympathy in thought, in practice, and in deed towards the amelioration of their miseries. Beyond that we cannot do anything more. The time has now come when we should examine the whole situation, especially in the light of past experience—and I say past wilful neglect on the part of the authorities—to remedy the evils. It appears, Sir, as if there was no Government in the country when things were allowed to continue in a way that repeatedly year after year, almost at regular intervals, floods would visit this place or

that place of Bengal. The poor railway has been hit upon as the greatest culprit, as the biggest contributory cause towards these floods. I for myself would not go so far. It will be useless to pretend that the country could do without railways. It will be useless to affect that really there are no advantages to be derived from railways as regards transport and conveyance, but at the same time it will be almost criminal to pass over the policy of the authorities that were and that be which allow the railways to be run in a particular way, so as to cause obstruction to the natural drainage of the country. It appears as if there was nobody to look after the interest of the children of the soil—a soil which was once synonymous with plenty of prosperity, health, wealth, ease, and comfort—but now, alas! the perennial home of famine and flood, of plague, malaria, and influenza These subjects are all so mixed up, so intermingled, that the discussion of one subject leads to the opening up of others. You must not do patchwork only. The suggestion for providing more culverts and more outlets is mere patchwork. You must go a little deep below the surface diagnose the true disease, and if it be necessary, however drastic the remedies may be, take the surgeon's scapel and not shirk the operation. That, in my opinion, should have been the policy of Government at that time and should be the policy of the Government of the present day How is it, Sir, that in a country which has got the hills in the north and the sea in the south, where the natural incline is always from the north to the south, the railway lines have been allowed to run crosswise? That has been done because the poor people of the country had practically nobody to look after their interests. And if the authorities are to blame, the authorities should also come forward to take their share of the blame But is it not peculiar, is it not significant that in spite of all this, the railways have been allowed to extend on and on in this direction? Not only that, we have got that big project of the Grand Trunk Canal, and when that is an accomplished fact, this project will also be a source of similar troubles; and, perhaps after a few years, we shall rue the consequences. Therefore, my suggestion is that the committee, as suggested in my resolution or anybody else's, if appointed, should be empowered to go to the root of the thing and suggest what should be the policy of Government in regard to these matters.

Mr. BIJOYPROSAD SINGH ROY: At the outset I must say that my task has been much lightened by the members who spoke before me. They have exhausted all the important arguments, and I do not intend to repeat them. This is a subject which requires no very long speech. It is uppermost in the mind of the people of this country at present. In July last, when I sent notice of this resolution I did not think that I would get so many supporters in this Council; I think it is the unfortunate incident in the Northern Bengal that has led us to think alike. The railway is a great boon of the West to the East; it is certainly indispensable for the development of commerce and industry

which we so earnestly desire; but the price which we are now called upon to pay for this boon is too high. For instance, Burdwan, which was the health resort of West Bengal half a century ago, has now become the germinating ground for dangerous malarious bacilli and it is mainly due to the construction of the East Indian Railway and the Damodar embankment to protect the lines. These facts require no demonstration at this stage to prove. The railway authorities in the early days completely neglected the question of waterways in the railway embankments; but what is more deplorable is that matters are not improving, in spite of the repeated demands of my countrymen. Only a few years ago during the construction of the Howrah-Burdwan Chord line, the East Indian Railway authorities decided to make the openings in the railway embankments only 17 feet 6 inches. The attention of Government was drawn to this fact by a resolution passed by the District Board of Burdwan, at the instance of one of its members, who is now a member of this House, and the openings were increased from 17 feet 6 inches to 38 feet.

The new viaduct which was constructed for the Howrah-Burdwan Chord line has got 280 openings near Burdwan; I may be permitted to say that more than 3 feet of water passed through these openings during the great Damodar flood of 1913; but for these openings the result of the flood would have been disastrous on the town of Burdwan. I would ask any member of this House to see the condition of the villages on both sides of the Howrah-Burdwan Chord line or the Tarkesur line during the flood. In place of the prosperous paddy-fields what do you find? A vast sheet of water which not only deprives the poor cultivators of their homes and the produce of their fields but also germinates malarial poison to deprive them of their health and comfort. We are now talking of anti-malarial schemes, and experiments have been going on in several places. We are taxing the people on this plea, but what is the use of wasting public money, if we cannot improve the natural drainage of the country. So, I think that a committee is absolutely necessary to consider this question. I will not detain the House with a very long speech after so many speakers. With these words, I beg to commend my motion to the acceptance of the House.

Babu JATINDRA NATH BASU: I beg to move that this Council recommends to the Government that a mixed committee of officials and non-officials be appointed to consider and report on the question as to the necessity of making a larger number of openings in railway embankments in Bengal in order that the natural flow of water over the surface of the country may not be impeded and the changes of floods may be minimised.

It is a well-known fact that Bengal is badly served in the matter of communications. It is necessary that we should have railways and that we should have roads. But the difficulty has been that owing to

the nature of the country—it is a deltaic country—these roads and railway embankments impede the flow of water over the surface of the country. The country is flat and its height above the sea level is very small and the country is liable to heavy rainfall. For the progress of the country and its people, we cannot do away with railways and roads. We must have them. It is, therefore, necessary that a committee should be appointed to consider as to how we may have railways and roads and at the same time provide for the passage of water over the surface in such a way as not to impede the natural flow of water. Yesterday, there was a reply from the Hon'ble the Member in charge to a question in this Council, intimating that Government had decided to appoint a committee of experts. In view of that intimation, it is not necessary for me to dilate on this resolution. But I only desire to point out that the grievance is felt not only in North Bengal but also in other districts of Bengal through which railways pass. There have been floods, as the Hon'ble the Maharajadhiraja Bahadur knows, in Burdwan, Howrah, Hooghly, and Midnapore and the railway embankments in these districts, it has been said, are responsible for those floods. My suggestion is that the inquiry should embrace the question of railway embankments and of roads throughout Bengal and not in the districts of Rajshahi, Bogra and Pabna only. With these remarks, I place the resolution before the Council.

Maulvi HAMID-UD-DIN KHAN: After what has fallen from the previous speakers, I have nothing to add to what has been previously said. There is no denying the fact that the machinery of Government is very slow to move. So far as I know, since the flood broke out in the districts of Rajshahi, Bogra, and Pabna, Government have not rendered all possible help they should have rendered; and to my mind, from what I have been able to gather, I fail to understand if all that was done had not been done in these affected areas, most probably half the population of these affected areas would have been carried away by these devastations. The conscientious opinion of the laymen, as well as that of the experts and of a great part of the people, is that the railway line is responsible for this great flood; and unless sufficient culverts and bridges are made, agitation will be made year after year. With these remarks, I beg to support the resolution.

Rai HARENDRANATH CHAUDHURI: In answer to a question put by Babu Fanindralal De, the reserved half of the Government announced only yesterday that it was decided to appoint a committee of experts and that "the particular attention of that committee would be directed to the effect of the railway embankments on the natural drainage of the country"; but to-day we find, to our regret, that the transferred half of the Government is announcing, in reply to a question put by Shah Syed Emdadul Haq, that "the question of drainage on this line of railway is about to be investigated by a special officer

appointed by the Railway Board and that the Government of Bengal will await his report before taking further action." Unless the two *halves of the Government are at variance with each other, this can only* mean, that the Government of Bengal will not appoint a committee forthwith, but will await the report of the special officer who has been appointed by the Railway Board for this purpose. This special officer was for a long time connected with the Eastern Bengal Railway and was, perhaps, to some extent responsible for the reckless engineering policy pursued by that Railway. Thus, we see there is added justification for moving our resolutions if not for the purposes of pressing them, at any rate for the purpose of elucidating our points.

There can be no doubt, Sir, that the Rajshahi flood is the biggest on record and has thrown into shade the Damodar flood of 1914. For this reason, if not for anything else, there is some justification for the appointment of a committee, and it is welcome news that the Government is considering the matter of appointing one. But there is another point or rather another fact which requires to be emphasised in this connection and that fact is this: that floods were altogether unknown in these areas before and that floods are now a recurring phenomenon in this part of the country. Of course, if any one doubts the truth of my statement I will ask him to refer to Sir William Hunter's Statistical Account of Bengal. In the volume regarding Pabna he says—

The Padma, Jamuna and Harasagar annually overflow their banks during the rainy season, and inundate the country, but the Collector reports that no inundation causing general loss has occurred within the memory of persons now living

Then, as regards Bogra, the same authority says—

The chief danger of calamity from natural causes arises from drought The portion of the district west of the Karatoya, which contains rather more than three-fifths of the total area, is generally above flood level, and depends on rain for its moisture

This is all about Bogra. Thus we see that, at least so far as the two districts lying to the east of the North Bengal Railway are concerned, floods were unknown in those districts, at any rate before the last seventies, *i.e.*, in pre-railway days. And Sir William Hunter compiled his accounts at the time when the railways were just under construction.

Now, turning to the district lying to the west of the main railway line, *i.e.*, the Raishahi district, all that is stated in Sir William's Statistical Accounts is this—

Rajshahi district is subject to floods caused by the annual rising of the Ganges, and often aggravated by excessive rainfall in moderation, these annual inundations instead of being a source of mischief are of the greatest possible benefit as fertilising the soil. On only two occasions within the experience of the present generation have floods occurred on such a serious scale as to materially affect the general harvest of the district. The first of these floods took place in 1838, and the second in 1865.

That is, almost once in a generation. But, Sir, what is the state of affairs now? The flood is a biennial occurrence there. In 1918 there was a *serious flood in Rajshahi, and the Government of Bengal in its Administration Report (1918-19) described it in this way*—

In the Rajshahi division such a flood as has not occurred for half a century traversed the districts of Rajshahi, Dinajpur, Bogra and Pabna causing much damage to crops, homesteads, and cattle particularly in the districts of Rajshahi and Bogra Relief was, however, promptly rendered.

Relief might have been promptly rendered but no inquiry was made as to the causes of the flood. So the position is this. If there is to be an inquiry at all, that inquiry should be for the purpose of ascertaining the causes of recurring floods in that division—in that area in which floods were altogether unknown before.

Now, Sir, the question regarding the responsibility of the railways arises in this way. Excepting the northernmost districts of the Rajshahi division, the Rajshahi division as a whole is watered by two systems of rivers which run through it—one is the Karatoya in the east and the other, the Atrai Valley in the west. The Karatoya with its small offshot, the Nagar, drains the eastern districts, *i.e.*, Bogra and Pabna, while the Atrai drains the Rajshahi and Dinajpur districts, and after receiving the waters of its tributary, the Jamuna, a little above the Atraighat railway bridge, it takes a south-easterly direction enters the Pabna district, proceeds along the southern edge of Chalanbhil and flows into the Baral river the united waters draining into the Ganges near about its confluence with the Brahmaputra. Such is the riverine system carrying on the drainage of that part of the country.

Now, turning to the railway system, we find that the Northern Bengal State Railway as it was contructed, first of all bridged the Atrai Valley. Then the Santahar-Bogra Branch bridged the Nagar and the Karatoya valleys *i.e.*, the two most important valleys were choked up by these railway lines. The position was, therefore, this after the Santahar-Bogra Branch or rather the Santahar-Bogra-Bonapara Extension was constructed. But what was worse and worst had yet to come. So long, Sir, as the broad gauge extension of the Sara-Santahar line did not take place, the railway embankment was below the flood level and when the broad gauge lines was constructed in 1914, it was raised above the flood level, and not only so but the water passages were seriously curtailed—and, it is said—curtailed by about half a mile. On the top of it came, as a finishing stroke, the Sara-Sirajganj Branch. This branch was constructed in 1916 and we find that in running from south-west to north-east it lay across the natural flow of the country and bridged almost all the rivers of the division, *viz.*, it bridged the Baral near Chatmohar, it dammed the overflow channel of the Chalanbhil, then it bridged the Dilpashar and other small rivers of the locality, and eventually it bridged the Harasagar, by which name the Karatoya is known in its southern course, near Ullapara.

Thus, we see that the Sara-Sirajganj line when constructed effectively choked the natural drainage of the country and impeded the natural outflow. The effect, of course, of the construction of these two lines was as immediate as serious, because, I think, the great flood of 1918 occurred just after that. Then, there was a recurrence of flood in 1920; yet there was no inquiry and now, after such a disaster, involving more than 1,800 square miles and millions of men, Government has at last been roused to constitute a committee of inquiry. All that we now insist on is that this committee ought to go into the special question of the responsibility of the railways in impeding the natural drainage of these tracts and that the constitution of the committee should be such as to inspire public confidence; it should not be a white-washing committee. With these remarks, I support my motion.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

Rai MAHENDRA CHANDRA MITRA Bahadur: I move that this Council recommends to the Government the immediate appointment of a Water Subways Standing Committee, of whom two-thirds shall be non-official members possessing practical knowledge of the subject, on the lines of the Standing Waterways Committee, with a view to advise Government on the means of preventing the recurrence of floods in areas liable to flooding and also water-logging in other areas, caused by railway lines and roads.

I will not confuse the issues on the subject I ask for the appointment of a standing committee on the lines of the Standing Waterways Committee with a view to advise Government to take steps for preventing the recurrence of floods, etc. Confining myself, therefore, to the issue in question, it is first of all necessary to consider whether a committee is to be appointed or not. The facts and figures show unmistakably that it is very necessary and that such a view ought to be taken by the Council If, Sir, I am to bring to your notice the devastation caused by the flood not in one place but in several districts, the argument is irresistible that an inquiry should be made by the committee. Referring to the floods in Midnapore, Tamluk subdivision, and other places, the havoc done was an appalling one. Referring to the floods in Burdwan the same remarks apply *mutatis mutandis*. If we refer again to the devastation caused recently in the Hooghly district on account of the floods in Tarkessur, I say that no sadder picture can be drawn to show to the Council what the sufferings of the people were. Chiefly to-day we are concerned with the floods in North Bengal and we find that previous to the year 1918, flood was almost unknown in Northern Bengal. But in the last four years (1918—22) the monsoon inundations swept over the land thrice and the desolation has been so complete this time that we are trying to find out the root cause of

the floods, and what are these? I attribute them firstly, to the insufficiency of culverts in railway embankments and to the narrowness or shortness in existng culverts in the railway, the absence of necessary culverts in the district board roads and the construction of the Sara-Sirajganj railway. The matter is a serious one, serious in all its aspects. Can anybody tell us why floods were so scarce in Northern Bengal 60 years ago There was a flood in the year 1918, but the then Commissioner of the Rajshahi division, as is reported to me, did not wait full two weeks to be on the scene but promptly visited the areas effected There was almost a tug of war between the Railway Chief Engineer and the Commissioner about the causes of the flood the latter confronted the former with his personal knowledge about the difference of water level of almost 5 feet on both sides of the railways, and it is said, the Commissioner hodly asserted that the insufficiency of culverts was the prime contributory factor, but the matter, as usual, was shelved and no action taken and the controversy has begun afresh Even a raw student of geography will find that the floods rush (from the Himalayas extending from Behar to Darjeeling) from the north to the south washing away the most fertile tract of land in Bengal to the Padma and the Brahmaputra and the Mahananda The places on the banks of big rivers like the Padma, Jamuna, or Brahmaputra are not affected as they can carry over the excess water rapidly But within the vast area from Rohanpur (Malda) in the east and Rahala (Bogra) on the west, Parbatipur in the north and Ishwardi in the south, there are only three small rivers worth the name, the Jamuna, the Atrai, and the Baral It is not necessary for me to give a vivid description of the place where the havoc was so much felt by the people Therefore, if the fact be that 60 years ago there were less floods and if you find these floods occurring now after the construction of the railway embankments then what conclusions are we to come to as to the causes that contributed to these floods? The suggestion is that the railway was at fault We often say Does the railway exist for the country or the country for the railways? This is a question which is often asked by us and it is for the Council to consider what steps should be taken for the purpose of checking these floods Arguments have been put forward in support of the contention that railways are responsible for the floods, but my submission to the Council in this connection is that if we fasten responsibility upon the railways we ought to fix the responsibility on other people as well. There are district board roads without subways; consequently, the district boards also should be held responsible Therefore, the question is what is to be done under the circumstances. What is past is past We must have an eye to the future We must find out what procedure the Council can recommend to Government Now for this reason I say that it is necessary that an inquiry should be made—an inquiry not by lay people which will be a waste of money and waste of energy but by experts—and if this be done, it will

be of some advantage to us in deciding the point. One of the speakers has just now suggested that legislation will be necessary, but he forgets the fact that railways have been constructed more than ten years ago. If the provisions of the Railways Act apply, we can ask for compensation from the company and no fresh legislation is necessary on this subject. Therefore, the only question which is before the Council is whether it is necessary to have an inquiry or not. I am not talking of the principles of jurisprudence now. I am not now under the shadow of Mr. Bentham either. I am looking straight at the question at issue. So far as the question of compensation is concerned, I leave it to the members of the legal profession to decide it. I do not like to offer any opinion on the point, but I like to say that the people ofathis country always look up to Government for help and protection and if Government do not offer it, and if the people of this country come forward, to complain against Government, I do not think that they will be wrong. The question of deciding this matter of compensation or no compensation depends upon certain facts. As a rule an organization is set up to give relief to the sufferers, there cannot, however, be any doubt that Government are chiefly responsible. If there had been a successful organization a popular organization then certainly the matter would have been clearer. Those who are helpless and houseless, are not expected to help anybody. They ask for help from other sources. Consequently, I say, let the question be looked at straight. Let there be a committee which must take up the bigger question. With these words, I commend my resolution for the consideration of the Council.

Mr. PRESIDENT: In the absence of the mover, Babu Debendra Lal Khan, resolution No. 1 is deemed to have lapsed. The resolution now before the Council is No. 2 by Rai Radha Charan Pal Bahadur; to that resolution, a number of amendments have been moved as indicated in resolutions Nos. 3, 4, 5 (to which an amendment 5A has been moved), 7, 9, 12 and 16.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I have welcomed this discussion in Council to-day for various reasons. First of all it gives an opportunity to Government to explain the position according to its lights, and according to the action that it has taken so far with regard to the floods in North Bengal; secondly, to explain at some length as to why the Government have come to the conclusion that a committee of experts is essential to go into the question of floods in North Bengal. Before, however, I come to these two main questions, I think that it is incumbent upon me to reply to certain points raised by the speakers in their different speeches.

With regard to what has fallen from Rai Radha Charan Pal Bahadur and several other speakers, it is the opinion of the Government officials in the flooded areas that railway embankments have certainly been

to a certain extent one of the causes of the impediment of the flood water going down in its full volume. Had it not been so, Government would not have considered the necessity of appointing such a committee.

With regard to the accusation made by Rai Radha Charan Pal Bahadur regarding the matter having been gone into in 1918 and having been shelved, so to speak, I am sure that some of the members of this Council will recollect with melancholy interest the death of Mr. Cowley, the then Chief Engineer of the Government of Bengal in the Irrigation Department. It is because of the valuable material that Mr. Cowley left behind him in the department regarding the data as to the volume of water that passes through these different culverts and bridges, that we are in a strong position to carry on our investigations as distinct and separate from what the Railway Board have started on their own account.

Regarding the question of damages, I will take the whole thing up at the end of my speech.

I am glad to find that the Rai Bahadur has contributed his quota of praise to Mr Reid's co-operation with the different non-official agencies, for it is perfectly true that Mr Reid has not only done yeoman service to Government in this matter but he has been a great asset to us in the way that he co-operated with these different non-official agencies.

As regards the question of some of the public not having confidence in Government, mine is not the only department that is accused of that fact: that is as old as the hills

With regard to the question of legal rights, I am sure that there is in this province such excellent legal acumen that it would not wait for any special legislation or for any enactment of the Government if any party thought that the Secretary of State could be sued It would add but one more to the number of many suits that every day appear in the courts against the Secretary of State As to what the ultimate results of those suits would be, not being a legal expert myself, I am not in a position to say.

Babu Indu Bhushan Dutta in quoting from a report by the late Sir Henry Cotton regarding the floods of Chuadanga rather confused facts in saying that Chuadanga was in North Bengal, because I am afraid my friend the Maharaja Bahadur of Nadia would be able to tell us where Chuadanga really is.

Babu INDU BHUSHAN DUTTA: May I offer a personal explanation? I said that the floods of North Bengal had come down to Chuadanga. I did not say that Chuadanga was in North Bengal.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: As regards the Gumti embankment with which Babu Indu Bhushan Dutta is concerned, because it is in his district, I have a report from the District Magistrate regarding the extent of the flood caused by the breaches. This is what he says—

The flood occurred as a result of the breach of the embankment of the Gumti river on the night of the 8th October last. The breach occurred at a place about three miles from Comilla town in a westerly direction. The Subdivisional Officer in the Irrigation Department went to the scene at once and was joined subsequently by the Sadar Subdivisional Officer, the Circle Officer, and myself. The breach was about 40 feet wide. It was found that the closing of it presented some difficulty and this was not completed until the 12th, when the Executive Engineer had arrived. The water in the meantime poured through the breach and flooded an area of about two to three square miles when the flood was at its height. The water flowed off from the greater portion of this area before any serious damage had been done to the crops. On visiting the scene of occurrence a few days ago, I found that the crops had been seriously damaged over an area of less than half a square mile and it is probable that even in that area some paddy can be reaped. No cattle were drowned and only one or two houses were damaged. The occupants were able to return to them in a very short time.

I do not wish to minimise the evils of the flood of the Gumti. What I want to tell Babu Indu Bhushan Dutta is that before Government can take action in a particular place, it must collect some data and some information to go upon. This applies with equal force to my friends who are, like myself, sufferers from the Midnapore floods and some of the flooded rivers in the Burdwan division.

Here again the question is not so simple as that in North Bengal. Here we are up against this big question as to whether really it is wise to maintain some of the scheduled embankments which the Government at present maintain under agreement with the parties. Therefore, it would be seen by those gentlemen who have moved that a comprehensive committee should be appointed to go into the question of all the floods in the different areas in Bengal, that this suggestion is neither a practical one, nor, in the light of the information that we have in the Irrigation Department, is of the same nature. I would therefore request the gentlemen who have moved for such a committee to limit its scope for the present at any rate to an investigation of the causes of floods in North Bengal.

Kumar Shib Shekhareswar Ray has pointed out that had we had an All-Bengal Relief Fund, the present overlapping that is happening in certain places would not have taken place. I propose to go into the question in a general way at a later stage. Then, of course, he has complimented me as being a layman. Well, I know I am a layman, so is he; and, therefore, it would be dangerous, unless the committee of experts themselves wanted to co-opt or to get the assistance of such laymen, for the Government to put down that in a committee of this kind any one else but experts should be appointed.

I am sorry that my friend, Kishori Babu, had to sit on his housetop before he could get away. He was really worrying the life out of Mr. Reid by sending frantic telegrams, but Mr Reid took it with his characteristic composure and did all he could He has gone into the question of Public Prosecutors on this committee I may say that we have neither the authority nor the legal right to set up a Committee of Public Prosecutors, because whatever the committee may report and whatever deductions they may arrive at, will have to be endorsed of course by the Government of Bengal and if it accepts all the committee's findings, it will have to go up to the Government of India with a strong recommendation on all such points on which the Government of Bengal are in agreement with the committee that is to be set up It will then be for the Government of India to move the Railway Board or other authorities and also it will be the duty of the Government of Bengal, if there are any provincial erring parties in the cause of these floods to take action

Rai Mahendra Chandra Mitra Bahadur has suggested a committee like the Permanent Waterways Committee May I point out to him, with due deference to his age and experience, that the duties of the Waterways Committee are very different from the duties of a committee that may be constituted to go into the question of floods The Waterways Committee is a permanent committee which has got to examine all schemes regarding waterways from time to time As regards the inquiry into the floods, a committee must once for all make an inquiry and report to the Government

Rai MAHENDRA CHANDRA MITRA Bahadur: I suggested a committee on the lines of the Permanent Waterways Committee

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: This brings me back to the argument that such a committee would not be possible, because the proposed committee would have to go into the question once for all and submit its report to Government I can assure the Rai Bahadur with regard to the question of floods in Midnapore, and I can also assure Babu Indu Bhushan Dutta with regard to the floods in the Tippera district, we shall make due inquiries and if we find that further action is necessary by Government, we shall no doubt go into that matter in due course.

With regard to the Midnapore tract, it is perfectly clear to all those who have been in the district of Midnapore, that there we are up against the question of these embankments and the duties of Government on the one hand, and the zamindars on the other. So, unless and until there is a conference between Government officials and the zamindars affected by these floods in the area, I do not think that any practical solution is likely to be arrived at. I have already suggested to Mr. Huntingford, the Chief Engineer in the Irrigation Department, to

go into this question with a view to see whether it is possible to get the zamindars to veer round to some of the opinions at any rate which the Government possess regarding the Midnapore floods and the chronic floods that take place in Ghatal, and that will be gone into in due course.

Now, I wish to make some general observations. It has been said that Government has slept over the floods in Rajshahi. It has been put forward that Government are hiding the extent of the damage that has taken place. Then, it has been proposed by my friend, Babu Debi Prosad Khaitan, that the Government, the Railways, and everybody else should be sued for compensation. Well, the question at issue is whether a committee is necessary to ascertain the extent of such damage. Government have prepared two estimates up till now. The first was a preliminary estimate published on the 11th of October, which was about a fortnight after the floods occurred and the second was published on the 9th of November after the local officers had had time to look round them and collect more reliable information. Both these *communiques* simply gave the state of affairs as it was known to Government, and the latter *communiqué* is, in the opinion of Government, correct enough for all practical purposes. It shows that an area of about 1,800 square miles was traversed by the floods; that according to the present report 55 lives were lost; that 60 per cent. of the huts in the northern part of the area might be taken to have been demolished; that 400 square miles or so, sown with winter rice, had suffered a loss of 75 per cent., and that over 12,000 head of cattle were lost. Now, this is a very careful estimate based on the reports of officers actually at work in the affected areas and deputed, amongst their other principal duties as relief officers, to ascertain the extent of the damage. Of course in a matter of this kind, at best, this estimate must be approximate, but it is probably the best estimate that can be obtained. The result has been, however, that the Government have been consistently abused, and that some of the papers have been angry with the Government for having, as they say, underestimated the situation. A reference, however, to these statistics which I have just mentioned, will show that the calamity was undoubtedly great, though it was not an appalling disaster of that magnitude which some people, who not knowing the facts as thoroughly as the District Officers and local officers, would try to make it out to be; but I have no wish to minimise the magnitude of the calamity. There is one thing to be said on behalf of Government. There is no reason why Government should desire to minimise the effect of these floods. When I was down at Santahar a gentleman came to me saying that he had seen 200 carcases of dead cattle in one place. I mentioned the fact to Mr. Reid and on a subsequent report it was found that in that particular place there were only 20 carcases, which shows that there is a likelihood of a tendency to exaggerate on

the part of people who are not conversant with the conditions of the district.

Now I come to the question of compensation. This involves the valuation of the damage done. There have been valuations made in the newspapers and we have been asked in a question in this Council to give a valuation of the damage. Now a correct valuation of the damage done is practically impossible in a case of this description and Government have almost invariably refused in such cases to enter upon the unprofitable task of making such a valuation when the Government itself knows that the valuation cannot be as complete or correct as it would desire. It may be in the remembrance of some of the members of the Council that in the case of the great cyclone Government refused to make such a valuation. It was neither attempted nor shall we attempt to make a valuation in the present case. Take the case of damage done outside the railway line, which it may be possible to value only roughly. It not only concerns loss of cattle but loss of lives, crops, and houses also. One valuer might say in regard to crops that in the whole area the entire 16-anna crops has been destroyed and another valuer might point out that the crops at the time were really non-existent, while a third valuer will draw attention to the fact that a good deal of the crop had already been lost before the flood. Then in the case of the ganja crop, if the new crop turns out well it will be said that there was not considerable damage done; if not, then it will be said that there was a loss. If we take houses, one class of calculators will probably assess the loss at so much a house and work out the valuation in his own way. Another calculator will perhaps say that the houses were mostly of mud and that many of them were old and that the other materials, such as corrugated iron, could not be all wasted. In the case of loss of cattle, there are the figures and it is possible that a more correct figure will be arrived at. But in the case of these estimates, it may be an overestimate or it may be an underestimate and it is not really worth inquiring into. The main object is to see that relief is given, and I contend that we have done all that is necessary in this matter.

Then it has been suggested that a committee should go into the question of the measures for relief. Such relief may be divided under two heads—Government relief and private charitable relief. What measures Government should adopt in such a case are well-known and it is unnecessary for any committee to advise Government on the subject generally. Moreover, it is the legitimate function of the executive Government, and unless there are very special reasons to the contrary, it cannot divest itself of its responsibilities and delegate such functions to a non-official committee. Unfortunately, owing to the climatic and physical conditions of the country, Government have qualified as experts in the relief of famine or distress. In fact, the policy of Government

is practically a cut and dried policy in such matters and there is no necessity to formulate a special policy. The policy has grown up and it is embodied in the Famine Code and in the Famine Manual. It is a very simple policy indeed. When such calamities occur, the first thing is to make arrangements for gratuitous relief, *i.e.*, relief of all persons requiring food and shelter. The first thing the Collector has to do is to divide the area into different circles and depute deputy magistrates, sub-deputy magistrates, etc., as officers to those circles and send money to these officers for the purpose of the relief. Government is responsible, as observed by Sir John Cumming, for saving lives and for that purpose Government funds can be drawn upon for a subsistence ration for each person. In the present case, both the Collectors were on the spot as soon as they got news that people needed relief. Other officers were recalled from their holidays and they gave up the Puja holidays to do their duties. They have worked loyally for the Government—deputy collectors and sub-deputy collectors who all came back and devoted themselves to the work. This immediate gratuitous relief, however, does not last long in the case of everybody. It is continued in the case of widows and orphans and old and infirm people. For able-bodied persons, labour is provided in the rebuilding of houses and sowing of crops. When further relief is required then relief work is provided by the district boards, and I believe my friends, the chairmen of the district boards of Rajshahi and Bogra, are fully alive to the importance of this kind of work, which they will have to start in the cold weather. In the present case of the floods these are at present under contemplation. Having thus met the immediate requirements of the situation the Collector then turns his attention to the requirements of the major portion of the population, *i.e.*, the cultivators who require assistance till the next harvest. This assistance is given in the shape of agricultural loans for agricultural necessities. In the present case there was an excellent opportunity for resowing lands for *rabi* crops and consequently, in consultation with the agricultural departments arrangements were made for loans of this kind and for the distribution of seeds and it is understood that the agriculturists have very much appreciated the opportunity given them for obtaining *rabi* seeds. As already intimated we propose to give Rs. 6 lakhs in loans mostly in money. The Collector then has to make arrangements for medical relief in case of epidemic. These, Sir, are the main measures which the Government has to adopt, *i.e.*, gratuitous relief, medical relief, and loans. This is how the expenditure of the money belonging to the State has to be made in such cases as was explained by Sir John Cumming on a previous occasion.

Now, Sir, I should like to reply to the accusation that has been made with regard to His Excellency the Governor and the Government for not opening an All-India Relief Fund. If anybody is responsible for this,

I am, and I take the responsibility entirely on my own shoulders and for the following reasons. First of all, in a case of this nature, we had to find out what charitable funds there were in the hands of the Government. As soon as the Collectors sent us figures we consulted our Financial Department and we found that there was a little over a lakh of rupees in the old Cyclone Fund. With the figures which the Collectors gave us at that time we thought that the amount in our hands from that fund was ample. While we were still in correspondence with the Collectors asking them to give us more accurate figures we understood that public bodies headed by that princely-hearted gentleman Sir P. C. Roy and others had started a fund. Now I ask this House that when the Government found that they had sufficient funds in their hands and when there was this public spirit evincing itself, would it have been right in these days of democracy to start an opposition shop? This flood has produced some most excellent relief-workers. Would we not have been accused of trying to belittle the excellent work that these workers were doing under the leadership of one whose excellent work I experienced during the time of Khulna relief, when we gave from the charitable fund comparatively little and there was mainly Sir P. C. Roy's fund which did all the work? With that experience I, as member in charge of the Revenue Department, did not think that I would be justified with money in hand in requiring His Excellency the Governor to open an All-Bengal Fund, when men like Sir P. C. Roy, associations like the Ram Krishna Mission, the Seva Samiti, the Social Service League, etc., were doing such excellent work in their own way. No doubt a certain amount of overlapping is bound to take place when such work is going on. When I went down to Santahar I gave out very clear instructions to the Collectors that there should be no overlapping and certain areas should be handed over to these gentlemen. Different organizations like the Khilafat Committee, the Swaraj Fund, and the organization of Sir P. C. Roy and others were working there and I met their members at the relief centres near Tilokepur and Akkelpur. I asked each one individually whether he was satisfied in the way the relief centres were being opened and they all said that they were satisfied in the way the work was going on. It may be that a beggar from one centre goes to another centre and takes relief from both places, but this cannot be entirely stopped. But in view of the fact that we had a considerable amount of money in our hands we were fully justified, as His Excellency's letter to the press very clearly expressed in asking the Commissioner to do his duty in his own division starting a fund. If after experience shows that there has been any dereliction of duty on the part of the Government, I would gladly take all the responsibility on my own shoulders.

Now I return to the question of the committee. I have already taken up the time of the Council at great length and I would not detain it much longer. The question is one of causes and remedies. The root

cause of the floods is the abnormal rainfall. In Rajshahi the water rose to a high level owing to the floods and the railway embankments might have been one of the contributory causes. Government have appointed a committee of experts to consider the question. It may be the committee will collect evidence and it may be some time before we get their report, but in view of the fact that a flood occurred there in 1918 and that we have some information on the subject collected by the late Mr. Cowley, we have decided that the question must be thoroughly investigated. It is true that the Railway Board have deputed an officer for special inquiry, but this Government considers that it is only right that there should be an independent investigation on floods and not on the question of railway embankments alone. Rai Harendranath Chaudhuri pointed out that in reply to a question Mr. Dey gave on behalf of the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, the Minister in charge, with regard to bridges and culverts that the Government of Bengal would wait for the report of the Railway Board officer before taking further action, I may say that Mr. Dey is of course technically right, but it does not follow that because the Government of Bengal cannot take action before the Railway Board has published its report that we are going to sit still and do nothing because, as I have said, we have got sufficient information at our disposal to go ahead and because our local officers do believe that the railway embankments are responsible for the floods to no small measure that we have proposed the committee. Therefore, I can assure the Council that this committee is not going to be a white-washing committee, nor is it going to play second fiddle to the Railway Board committee. I think the *communiqué* has sufficiently made it clear that Government is determined to go into the whole question. Now, Sir, really and truly there is no need to accept any of the resolutions that have been brought forward to-day because Government have already taken action, but in view of the great deal of anxiety shown by many of the speakers, I would be quite prepared to move a resolution in the form of an amendment to Babu Indu Bhushan Dutta's resolution No. 12 for the acceptance of the Council. My amendment would run thus:—

"This Council recommends to the Government that a committee of experts, official and non-official members, with power to co-opt, be appointed to inquire into and report on the causes of the frequent floods in Northern Bengal and to suggest possible remedies."

The reason why I do not mention any non-official laymen is this: that the committee must essentially be a committee of experts, but we have given it the power to co-opt other members. If in the locality there are gentlemen, who have really gone into the question, they will be consulted and the committee will consider whether apart from the railway embankments there were other causes which were obstructing

the flow of the flood water. At present it is proposed that Mr. Huntingford, the Chief Engineer in charge of the Irrigation Department, should be the President of the committee and Mr. Hodgson, the Superintending Engineer of the Rajshahi division, and Dr. Bentley, the Director of the Public Health, members. It is also proposed that the Institution of Engineers should nominate two non-official engineers, one of whom must be an Indian to be members as well. Then, again, it is proposed —although perhaps I may be criticised for not including any representative of the North Bengal Railway, while I am putting in people representing local bodies which may be partly responsible for the flood to include the District Engineers of the district boards of Rajshahi and Bogra, where the floods took place. The District Board Engineers are on a different footing to the Railway Engineers who are really responsible to the Imperial Government and not to the local Government. It is therefore proposed that these gentlemen would form themselves into a committee and it is open to them to co-opt any number of members in the locality or outside the locality.

Kumar SHIB SHEKHARESWAR RAY: Will they all be experts?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: If it is understood, Sir, that the committee has the power to co-opt members, it is clear that it is open to the committee to consider whether the co-opted members should be non-officials or non-experts. This must be left to the discretion of the committee itself.

Babu SURENDRA NATH MALLIK: May I have your permission to ask the Hon'ble the Member whether this committee will be a committee of experts in floods or experts in making committees and submitting reports?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: They will be experts with regard to the question of water levels, questions of embankments, and questions that the Irrigation Department generally go into.

Mr. PRESIDENT: I would ask Babu Indu Bhushan Dutta whether he accepts the extra words that have been suggested by the Hon'ble the Maharajadhiraja Bahadur of Burdwan?

Babu INDU BHUSHAN DUTTA: I should like to have my motion No. 5 put before the Council first. If that is lost, I would gladly accept the amendment moved by the Hon'ble the Maharajadhiraja Bahadur of Burdwan.

Mr. PRESIDENT: The question I asked was whether the member was prepared to accept the addition of the words suggested by the

Hon'ble the Member in charge of the Revenue Department. The member has not answered that.

Babu INDU BHUSHAN DUTTA: Yes, I accept them.

Mr. PRESIDENT: Before I call upon the next speaker I would point out that we have a good many speakers on the list and we want to finish the debate to-night. I hope that members will be brief so that every one may get a chance.

Rai JOGENDRA CHUNDER GHOSE Bahadur: As Babu Indu Bhushan Dutta has accepted the amendment of the Hon'ble the Revenue Member, I do hope that all the other gentlemen who have proposed resolutions will drop theirs and there shall be no necessity for further discussion. I am really waiting for an answer whether a discussion is required or not. As nobody says anything about it, I had better say a few words. There has been a great calamity in North Bengal. The heart of the people of Bengal has been touched and their purse-strings have been loosened for the relief of their suffering brethren in North Bengal. Is it possible that the heart of the Maharajadhiraja Bahadur of Burdwan was not equally affected? Is his heart less tender than ours? Is his heart callous? If he paid only Rs 30,000, the presumption is that he could not pay more. But I do desire to say that having regard to the feeling of all of us he should pay more. Having said so, I must say a word or two about the railways. There seems to be a grievance that the railways are partly responsible for this. If so, then the question is this: whether more bridges and more sluice gates are required. Who should decide that question? Neither I nor any of the speakers here nor even the Maharajadhiraja Bahadur of Burdwan. If such a calamity happened in his own estate, what would he have done? He would employ engineers to take levels and make mathematical calculations of the amount and the extent of openings required for letting water out. This cannot be done by any one of us and to say that we should do it is absurd. What Government could do, Government has done. They have appointed a committee and I hope that the committee will consist of Engineers who will be able to say how much openings are required for letting out water at the highest flood.

Then the question of compensation comes in and the devastated area has been likened to Belgium after the German invasion. Are the people of Bengal or India the invading Germans that they would have to pay compensation? The Secretary of State will not pay from his own pocket. Are we to be made bankrupt to pay compensation like the people of Germany? But that question is simply irrelevant. But the question remains that if the people of Bengal have suffered, it is the duty of Government to help them to set them up in their lands and for this probably Rs. 30,000 is not enough.

Mr. PRESIDENT: You cannot go into the question of Rs. 30,000 now. We heard a great deal about it yesterday. I hope you will give other speakers a chance.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I submit that the Hon'ble the Member will take into consideration the feeling which has been expressed in this House and consider whether some more money is required for the relief of the people in North Bengal.

Babu TANKANATH CHAUDHURI: After the speeches we have heard to-day, I need not dilate upon the matter much But there has been a reference to the district board of Dinajpur and it has been accused for not keeping enough waterways for which reason there has been flooding of this portion. The accusation appeared in the *Englishman* of the 24th October I should like to point out to the House that the flood occurred some 30 miles to the south of Dinajpur, so the district board of Dinajpur cannot be held to be responsible for this flood

Raja MANILOLL SINGH ROY: On a point of order, Sir Is it relevant to bring in the district board of Dinajpur? That district board is not under criticism.

Mr. PRESIDENT: I think we can just bear with the member a few minutes more. But if he speaks too much of Dinajpur, I will tell him we have nothing to do with it.

Babu TANKANATH CHAUDHURI: What I would suggest to the Hon'ble the Member in charge is that the committee which will be formed should advise the district boards of North Bengal with regard to roads I would suggest another thing Some of the water channels are being blocked with hyacinths and this ought also to be looked into by the committee I hope that the committee will be able to find out the cause of the flood and to suggest means for avoiding any recurrence

Khan Bahadur Maulvi WASIMUDDIN AHMED: On a subject like this it is very difficult to speak without some emotion which often stands in the way of sound reasoning. The disaster that befell North Bengal towards the close of September is a unique one. It surpassed all the calamities and disasters that took place within our living memories. Such calamities and disasters are not without some silver lining behind them, and in the present case also we find some palliative circumstances which, though it will not fully remove from our minds the anxiety and sorrow that we feel for the people, yet will give us relief to a certain extent. Besides washing away a large quantity of filth and other things that accumulated for ages, it afforded a splendid opportunity to our countrymen to show their genuine love for their motherland, their power of organization and the sympathy they felt for the people, and they endangered and almost sacrified their lives for the

amelioration of their condition. It has given a unique opportunity to the Bengali nation to remove the blackest stigma on their character that their enthusiasm for work does not last longer than the bubbles of soda water. They secured the sympathy of the whole of Bengal, nay, the whole of India, and they amassed a fabulous amount of money for removing the sufferings of the people, which has extorted admiration even from those persons who are least able to appreciate the qualities of our Bengali youngmen. It has also brought to the forefront what powers the officers have, and how, if they are so minded, they can arouse the sympathy of the people. The work of the District Magistrates of Pabna and Rajshahi, both of whom are European gentlemen, shows beyond all doubt that they have the sympathy of the Bengali people, and they also can feel for the people and sacrifice all their comforts for improving the condition of the people. It has done something more than that. It has reminded the railway authorities that it is not often a sound policy to sacrifice everything to the Moloch of economy. Hitherto the Railway Board and the railway authorities have turned deaf ears to the people's demand for more waterways and headways for the convenience of the country and the traffic with country boats. But this calamity has proved that the economy they have hitherto practised is a false economy. You all remember how long the Bogra section of the railway had to be stopped, because the railway lines were washed away in many places, and the railway authorities had to suffer a great loss. I remember when the Sara-Sirajganj railway was taken up, the first measurement was gone into through a more desirable and more convenient route; but the route that lay through the higher parts of the district along the banks of the river Ichamati was given up simply to bring about a shortage in the mileage and thereby to save some amount of money; that was a mistaken policy on the part of the railway authorities. If that route were followed, then it could cross at a point where all the waterways of the division resolved themselves into a narrow channel near Potazia Without following that, the line was laid through the southern part of the Chalanbhil, where the excess water of the whole country passed through several channels over flat country. If you look at the map of the Rajshahi division, you will find that there are only two rivers, one is the Tista and the other the Mahanada, which carry a considerable quantity of water into the Ganges and the Jamuna. Below it there is no river of considerable importance which can carry the excess water. All the water accumulates in the Chalanbhil, and the outlet lies through the district of Pabna. It is only through Providence that the Sara-Sirajganj line was saved this time. When after incessant rains the water began to rise, the people had their homes submerged with water and many people came in a body and tried to cut open the line. It was only the intervention of Providence that saved the line as well as many lives. This calamity has touched the heart of the railway authorities

and they have appointed a committee to inquire into the matter. It behoves the Government also to make a thorough inquiry into the matter and to see that such an incident may not occur in future. I have often heard it said that the occurrence of this year is an unusual one, and that the railway authorities cannot be expected to provide against such incidents, but I dare say that when a permanent structure is built, it is incumbent upon the proper authority to provide against something unusual. I must say that the Sara-Sirajganj lines has not made provision for the ordinary flood water to pass through. Every year we find the water level in the channel on the north side of the line higher by 1 or 1½ cubits than that on the south causing constant accidents. •This year it so happened that if one were to stand on the Dilpasha railway station, and look towards the north-west, one would see nothing but a vast sheet of water, where excellent paddy grew, looking at which the people were once elated with joy. These were carried away by the flood. It is also the business of the Government to see that it should not be outstripped by the activities of some of the gentlemen who always try to vie with Government——

Mr. PRESIDENT: We are now considering the appointment of a committee to inquire into the matter, and I do not know whether the member wants to talk this out and have it adjourned till to-morrow. We have only 5 minutes left and we have got to finish it

Khan Bahadur Maulvi WASIMUDDIN AHMED: With these remarks, I submit that the amendment put forward by the Hon'ble the Maharajadhiraja Bahadur of Burdwan be accepted by this House.

Rai RADHA CHARAN PAL Bahadur: I shall be very brief I wish to touch upon a few points with reference to the speech that has been delivered by the Hon'ble the Maharajadhiraja Bahadur of Burdwan As far as I have been able to follow his speech, he admits that the railway embankments are to a large extent responsible for the disaster that has taken place in North Bengal; for as he says if the Government were not so satisfied, they would not have consented to appoint a committee. This admission shows that the consequences must be taken into consideration. The consequence of the floods has been a dire disaster—the desolation of homes of about a hundred thousand people, the destruction of property and even death in some cases; and the loss is approximately estimated at—it may be right or it may be wrong, it may be exaggerated or under-rated—over 4 or 5 crores of rupees worth of property.

They say we have entered into a new era of Government, democratic and reformed Government, under the ægis of British rule in India. I put it to you, Sir, whether under similar circumstances in your own country, even the solid phalanx of the great Lloyd Georgian Ministry

would have continued in power for a week had they handled the situation in the way it has been handled here? From the volume of public opinion that has been expressed in that part of the country, it is quite clear that the people of the district—the people whose patience is beyond description, according to the words of late Sir Henry Cotton—have sacrificed their all to the culpable negligence of the railway administration. And what are we doing to alleviate their sufferings? Here in the Council we can do nothing but fret and fume. We want that the committee which is to be appointed must be not merely an official committee of experts but it must be such a committee as to inspire confidence in the people—in these days it is a great asset to gain the confidence of the people. There is an apprehension both outside and inside the Council, that the committee may not be a representative one and that it may tend to white-wash the whole affair. So I think that it is of paramount importance that the committee should be a committee not only of experts but also an independent mixed committee of officials and non-officials.

The Maharajadhiraja Bahadur has said that if the committee so choose, they can co-opt certain members from outside their own district, but they should not be sufferers like my friend Babu Kishori Mohan Chaudhuri Sir, if a hundred thousand people have suffered by the floods, is it intended by the Maharaja that I, Radha Charan Pal from Calcutta, or Mr. Bijoyprosad Singh Roy from Burdwan, is to be nominated to that committee? Should not the sufferers who are directly interested, be represented on the committee? What is the constitution of the International League which is now sitting in Europe? Are the sufferers not represented in it to exact reparation from the German Government? So I think here also the sufferers must be represented on the committee.

I had the greatest respect for the Maharaja Bahadur who, though young in years, seems to have grown old by his official position. I am very sorry at his irresponsible remarks with reference to the suit suggested by some of our eminent countrymen against the Secretary of State. He has challenged saying, rather in a light-hearted and flippant manner, "there are many suits against the Secretary of State; let one more be added." Perched on the adamantine hill top of his official position with a national exchequer at his command he well knows how helpless the people are to fight with the Secretary of State and there sitting as a member of the crusted bureaucracy of the most rotten dyarchy, he challenges the people to sue the Secretary of State, and I think the days of dyarchy which he represents, are doomed. The above remark of the Maharaja Bahadur—I am sorry to observe—is not calculated to enhance his reputation, for sobriety and moderation of language, which ought to characterise high official utterances on a matter of such vital importance as the one under discussion.

I come now to another point. I have all along said—and if I have been misunderstood, it is my misfortune—that I am a whole-hearted co-operator with the Government and what I am going to say now comes out of my experience of the last 30 years of public life and for two generations. It is a great thing to inspire confidence in the people. The Government have admitted the great work done by the different non-official agencies. They have made a fair attempt to ascertain correctly the damage to the people and the amount of compensation to be paid. The Government have paid a well-merited tribute to Sir P. C. Roy who has devoted so much of his energy and time to this work of amelioration of the distress of the flood-stricken people. Why should we not co-operate with them? Why should we not make a correct estimate of the loss caused? In the co-operation, mind you, Government have not to pay everything. It will also help to stimulate the philauthropy of the people. Why should the committee not co-opt such members? It would stimulate public charity and help us substantially towards reconstruction and rehabilitation. This is a noble work of which we, even in the dyarchy, should be proud though I am sure we are coming to the dying days of dyarchy.

The Hon'ble the Maharajadhiraja Bahadur has not thought fit to accept our resolution. We were accustomed for years past to be ruled by the Indian Civil Service with a Governor at the head, but I must say that if we had our Governor fresh from the bracing atmosphere of England presiding over us to-day and giving the Council guidance and instruction, I am sure that he would at once have stretched forth his right hand of co-operation in the noble work of reconstruction and rehabilitation which the Maharaja is withholding.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I have nothing to add. I compliment my friend, Rai Radha Charan Pal Bahadur, on the language he has used and the way in which he has put forward his case. I have defended the Government and I have mentioned what they have done and are doing. It is wrong to suggest that Government are not co-operating with the different non-official agencies. In fact, I have dealt with this subject at the very beginning of my speech and pointed out that it was not correct to carry on such an impression because the local Government officials and the members of the non-official agencies have up to now worked in amity and harmony, and I am sure will continue to do so.

As regards the personnel of the committee and the scope of its inquiry, I have already gone into that at length and I do not think it will serve any useful purpose to repeat it.

The following resolution of Babu Indu Bhushan Dutta, as amended by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, was then put:—

"This Council recommends to the Government that a committee of experts, official and non-officials members, with power to co-opt, be

appointed to inquire into and report on the causes of the frequent floods in Northern Bengal and to suggest possible remedies."

A division was then taken with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Rafi Uddin.
Basu, Babu Jatindra Nath.
Chaudhuri, Babu Tankanath.
Chaudhuri, Maulvi Shah Muhammad.
Das, Babu Bhishmadev.
De, Babu Panindralal.
Deare, Major-General B. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Emerson, Mr. T.
French, Mr. F. C.
Ghose, Mr. D. C.
Ghose, Rai Bahadur Jogendra Chunder.
Goode, Mr. S. W.
Haq, Shah Syed Emdadul.
Hornell, Mr. W. W.
Huntingford, Mr. G. T.
Hussain, Maulvi Mahammed Madassur.
James, Mr. R. H. L. Langford.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Nakey, Mirza Muhammad Ali.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-.
Raikat, Mr. Prasanna Deb.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilall Singh.
Sinha, Babu Surendra Narayan.
Skinner, Mr. H. E.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. A.
Suhrawardy, Dr. Hassan.
Travers, Mr. W. L.

NOES.

Dass, Rai Bahadur Pyari Lal.
Janah, Babu Sarat Chandra.
Khaitan, Babu Devi Prosad.
Moitra, Dr. Jatindra Nath.
Pal, Rai Bahadur Radha Charan.
Roy, Babu Jogendra Nath.

The Ayes being 42 and the Noes 6, the motion was agreed to.

The above amended resolution having been carried, all the other resolutions on the subject were not put as they were held to be covered by the decision arrived at by the Council.

Adjournment.

The Council was then adjourned till 3 P.M. on Wednesday, the 22nd November, 1922, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 22nd November, 1922, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, two Hon'ble Ministers (the Hon'ble Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur, being absent), and 100 nominated and elected members.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): I have it in command from His Excellency the Governor to announce that there will be no meeting of the Council on the 24th instant owing to the Durbar at Government House. His Excellency the Governor has set apart the 27th instant for non-official business in lieu of the 24th.

Starred Questions

(to which oral answers were given).

Holidays to Moslem prisoners.

***XXX. Nawabzada K. M. AFZAL, Khan Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state—

(*i*) whether the Mussalman prisoners were granted a full holiday on the last *Bakr-Id;* and

(*ii*) whether the Hindu prisoners were granted a holiday during the last *Dasarah*?

(*b*) Are the Government considering the desirability of granting two days' holiday for the *Bakr-Id* and one day for *Id-ul-Fitr* to the Muhammadan prisoners in future?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) (*i*) No. Pending the final decision of Government as to the holidays to be allowed to prisoners in jails a half holiday was allowed to all prisoners in the jails on the last *Bakr-Id.*

(*ii*) Yes. A holiday was allowed to all prisoners in the jails on the *Mohastami* day during the last *Durga Puja* festival.

(*b*) The general question of holidays is still under consideration.

Agricultural loans and other measures for relief in North Bengal.

***XXXI. Mr. SYED ERFAN ALI:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the amount of money which the Government intend to spend on agricultural loans in the areas affected by flood in North Bengal?

(*b*) Is the Hon'ble the Member aware that people do not avail themselves of these loans as they ought to on account of the conditions of the loan?

(*c*) Will the Hon'ble the Member be pleased to state what these conditions are?

(*d*) Will the Hon'ble the Member be pleased to state—

(*i*) what steps have been taken or what steps it is proposed to take for the supply of seed-grains in the affected areas;

(*ii*) whether seed-grains are supplied free of charge; and

(*iii*) what steps have been or are being taken for the supply of fodder to the cattle?

(*e*) Will the Hon'ble the Member be pleased to state whether it is in the contemplation of the Government to import bamboos and straw and other materials for the reconstruction of huts in the affected areas?

(*f*) Is it a fact that there is a great dearth of these building materials in those areas?

(*g*) Are the Government considering the desirability of making any gift or grant or loan for the purpose?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) At present Government propose to allot a total sum of about Rs. 6½ lakhs for agricultural loans, out of which Rs. 4½ lakhs have already been sanctioned.

(*b*) No; no complaint has reached Government.

(*c*) The member is referred to the rules in the Bengal Loans Manual, 1918, which lay down the conditions.

(*d*) (*i*) and (*ii*) As in the case of the floods in 1918, seeds are being distributed, where necessary, to the cultivators in the shape of loans in addition to loans in money. The seed-loans are being issued in consultation with the officers of the Agricultural Department. It is understood that in certain cases the seeds are also being sold.

(*iii*) Fodder is being distributed free of charge only to the poor and needy and is being sold at cost price to others.

The member is also referred to the Press *Communiqué* of the 9th November, 1922.

(e) The reply is in the negative.

(f) Government have no reason to believe that there is either a great or general dearth of building materials. The huts which were destroyed were mainly mud-walled huts.

(g) A total allotment of Rs. 69,000 has been sanctioned by Government for charitable relief met or to be met from charitable funds which covers the expenses for reconstruction of huts.

Proposed railway between Ishurdi and Sadhuganj.

***XXXII. SHAH SYED EMDADUL HAQ:** (a) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether the construction of the broad gauge railway lines between Ishurdi and Sadhuganj in the district of Pabna has been sanctioned?

(b) If so, when is the actual work of construction of the line likely to be taken up?

(c) Will the Hon'ble the Minister be pleased to state the reasons which have delayed the taking up of the construction of the proposed railway line?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): (a) The construction of the line has not been sanctioned.

(b) The question does not arise.

(c) The delay is due to financial stringency. The Government of Bengal have already recommended this project to the Railway Board and have received a promise from the Board to consider it when funds are available.

Reduction of Settlement Staff owing to introduction of two-party system.

***XXXIII. SHAH SYED EMDADUL HAQ:** (a) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the number and names of—

(i) kanungoes,

(ii) ministerial officers, and

(iii) other officers,

together with the periods of service rendered by each of these officers in the Settlement Department who will be thrown out of employment in consequence of the introduction of the two-party basis system?

(*b*) What provisions, if any, are the Government making for these officers?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) When the decision to reduce the Settlement programme to a two-party basis was arrived at, the kanungo staff was not at full strength. As the Settlements of Nadia, Jessore and Bankura, which are in their concluding stages, cannot be wound up until September, 1924, and there are heavy arrears in Pabna and Bogra, the Settlement programme will not be established on a complete two-party basis until the field season of 1924-25. Therefore, the reduction has been and will be gradual and it is impossible at the present stage to give a list of the kanungoes and ministerial or other officers who will be thrown out of employment in consequence of the introduction of the two-party programme. When the two-party system is fully established the staff probably required, as compared with the existing staff, is as follows:—

At present: 258 kanungoes (including 12 on deputation); 500 expert muharrirs; 1,000 inferior muharrirs.

Proposed: 170 kanungoes; 300 expert muharrirs; 600 inferior muharrirs.

(*b*) As the object of the introduction of the two-party system was economy, Government can make no general provision for such officers. In some cases, however, work has been found for them in other departments. Attempts to find such work will be continued.

Bengal Tenancy Act Amendment Committee.

***XXXIV. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether there is any member on the Committee for the amendment of the Bengal Tenancy Act, representing the Rajshahi division?

(*b*) When did the said Committee begin their sittings and when did they complete their labours?

(*c*) How many sittings of the said Committee took place in all?

(*d*) When did the Government receive the report of the said Committee?

(*e*) When do the Government propose to publish the report of the said Committee?

(*f*) What is the expenditure incurred for the Committee?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes. Four members on the Committee represented constituencies in the Rajshahi division, *viz.*, Sir Asutosh Chaudhuri,

Kumar Shib Shekhareswar Ray, Rai Sahib Panchanan Barma and Maulvi Yakuinuddin Ahmed.

(*b*) The Committee first met on 22nd August, 1921. The last meeting was on 18th August, 1922.

(*c*) There have been 43 sittings of the full Committee.

(*d*) Government have not yet received the report of the Committee but it is expected very soon.

(*e*) No date can be given at present.

(*f*) Up to date Rs. 10,400.

Salt warehouses at Maheshkhal (Chittagong).

***XXXV. Rai UPENDRA LAL RAY Bahadur:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) whether it is a fact that the construction of some more warehouses at Maheshkhal was sanctioned some years back;

(*ii*) if so, when;

(*iii*) whether the work has been taken in hand;

(*iv*) if not, why not; and

(*v*) whether the work is likely to be taken in hand?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*i*) The Government of India have sanctioned a project for dismantling some salt warehouses at Sadarghat and in the Custom House compound and reconstructing them in the salt *gola* compound at Maheshkhal. The intention of this project is to enable salt to be discharged from shipboard to the warehouses more quickly and cheaply. It will not provide additional storage space.

(*ii*) In 1919.

(*iii*) No.

(*iv*) and (*v*) The work has been postponed owing to financial stringency and will not be taken up until funds are available.

Shifting of salt "golas" from Sadarghat to Maheshkhal.

***XXXVI. Rai UPENDRA LAL RAY Bahadur:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) whether there is any proposal for shifting the salt *golas* from Sadarghat to Maheshkhal;

(*ii*) if so, what is the estimated cost for the removal and when is it likely to be done;

(*iii*) whether there is any proposal for constructing any ***kuchha*** warehouses at Maheshkhal or elsewhere for the storage of salt; and

(*iv*) whether the storage of non-duty paid salt is allowed in private warehouses when accommodation is available in the Government warehouses?

The Hon'ble Mr. J. DONALD: (*i*) Yes.

(*ii*) The estimated cost is Rs. 92,038. Government do not consider the project to be of sufficient urgency to justify its being proceeded with in view of present financial conditions.

(*iii*) No such proposal is before Government.

(*iv*) Ordinarily Government would not allow storage of non-duty paid salt in private warehouses when accommodation is available in the Government warehouses.

Storage of salt in Chittagong warehouses.

***XXXVII. Rai UPENDRA LAL RAY Bahadur:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) the total accommodation for storage of salt in each of the Government warehouses at Maheshkhal, Sadarghat and Namunabazar, respectively;

(*ii*) the total quantity of salt in the port of Chittagong on the 1st November, 1922, in the different warehouses, and also in vessels ready for discharge into the warehouses;

(*iii*) the number of private warehouses hired for storage of salt during the months of September, October and November, 1922; and

(*iv*) the reason for such licensing of private warehouses for storage of salt?

The Hon'ble Mr. J. DONALD: (*i*) Maheshkhal—360,000 maunds; Sadarghat—295,000 maunds; Namunabazar (in Custom House compound)—80,000 maunds. Total—735,000 maunds.

(*ii*) At Maheshkhal—301,757 maunds; at Sadarghat—169,974 maunds; at Namunabazar—62,633 maunds; in private licensed warehouses—254,710 maunds. Total—789,074 maunds.

In vessels ready for discharge into the warehouses—175,577 maunds.

(*iii*) Ten.

(iv) There was not sufficient accommodation in the Government *golas.*

During September and October, 1922, an unusually large number of salt steamers arrived one after the other and sometimes two at a time, which naturally led to congestion.

Rai UPENDRA LAL RAY Bahadur: Is the congestion the first of its kind this year, or did it occur before?

The Hon'ble Mr. J. DONALD: I want notice of this question.

Rai UPENDRA LAL RAY Bahadur: Were not private warehouses licensed for storage of salt at Chittagong in previous years?

The Hon'ble Mr. J. DONALD: I want notice of this question.

Lapsing of grants to Dacca University.

***XXXVIII. Mr. TARIT BHUSAN ROY:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether a grant made by the Council to the Dacca University has lapsed for omission to ask for the same in time;

(*ii*) what is the amount of such grant; and

(*iii*) who are the persons responsible for the lapsing of the grant?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*i*) Yes.

(*ii*) The amount is Rs. 1,03,566-10-8.

(*iii*) A Committee of the Executive Council of the Dacca University and a separate Committee of the Court have been appointed to inquire into the matter and until the result of their inquiry is received, Government are not in a position to say who are the persons responsible.

Unstarred Questions

(answers to which were laid on the table).

North Bengal floods.

77. Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement regarding the recent flood of September last in North Bengal showing—

(*i*) the extent of the flooded area in different districts with a map showing the roads, embankments, railway lines, and the bridges and waterways provided therein as far as can be ascertained by 15th November, 1922;

(*ii*) the causes leading to the abnormal flood so far as ascertained by responsible officials;

(*iii*) the extent and nature of the damage done by the flood and the remedial measures adopted;

(*iv*) the estimate of the help and relief measures necessary for the persons and localities affected and the arrangements made for the same;

(*v*) the necessity and measure of outside help to be rendered and the arrangement so far made and what more is it necessary to be made for the same; and

(*vi*) the remedial measures which it is proposed to adopt?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) to (*vi*) The member is referred to the *communiqués* issued by Government on the 11th October and 9th November, 1922, which give the particulars required.

Maps showing the areas affected by flood with roads and railway lines are placed on the Library table for inspection. Details about bridges and waterways are not available at present.

Taxes on real property.

78. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state how many kinds of taxes, cesses or rates, local or otherwise, including land revenue, are owners or occupiers of real property required to pay in this province?

(*b*) What is the total amount realised by each of the said taxes, cesses or rates?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Besides land revenue and cesses, taxes are levied on property under—

(*1*) the Bengal Municipal Act, 1884, and the Calcutta Municipal Act, 1899;

(*2*) the Local Self-Government Act, 1885, and the Village Self-Government Act, 1919; and

(*3*) the Income Tax Act, 1922, which does not apply to agricultural income.

(*b*) For land revenue and cesses the member is referred to column 9, appendices I and XXVII of the Land Revenue Report.

The amount realised from owners or occupiers of real property as such under the Bengal Municipal Act, 1884, and the Calcutta Municipal Act, 1899, in 1920-21 was Rs. 1,46,60,781 and under section 118 C of the Local Self-Government Act, 1885, was Rs. 57,893.

Some few union boards also realised rates under section 37 (*b*) of the Village Self-Government Act, but the amount of such rates is not known.

As regards income tax the information is not available, as income tax on income from real property is not distinguished in the returns from income tax assessed on other sources of income.

North Bengal floods.

79. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the following particulars due to the recent flood in Northern Bengal:—

(*i*) the number of people affected; and

(*ii*) the extent of damage including—

(*1*) loss of human life,

(*2*) loss of cattle,

(*3*) damage to houses and habitations, and

(*4*) damage to crops?

(*b*) Will the Hon'ble the Member be pleased to state what conclusions have been reached regarding the causes of the flood?

(*c*) Will the Hon'ble the Member be pleased to state what steps have, up till now, been taken by the Government to relieve the distress caused by the flood?

(*d*) Will the Hon'ble the Member be pleased to state what sum has, up till now, been actually spent by the Government—

(*i*) in gratuitous relief to meet immediate distress,

(*ii*) in relief for such purposes as rebuilding houses,

(*iii*) in medical relief, and

(*iv*) for the restoration of destroyed crops?

(*e*) Will the Hon'ble the Member be pleased to state what further sums the Government are proposing to spend in relief work and in what shape hereafter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The member is referred to the Press *Communiqué* of the 9th November, 1922. The number of houses or huts destroyed was—

Rajshahi—79,440.
Bogra—83,686.
Pabna—700.
Dinajpur—3,511.

(*b*) and (*c*) The member is referred to the Press *Communiqués* of 11th October and 9th November, 1922.

(*d*) and (*e*) No definite information is available at present as to the actual amount spent up to date. The member is, however, referred to the replies to starred questions No. XXV (*i*) and (*ii*) asked by Dr. Jatindra Nath Moitra which give the details showing the allotments made up to date by Government under the different heads and what further sum it is proposed to sanction in future.

Flood relief operations.

80. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state what has been done by the said department and especially by the Hon'ble the Member in charge to cope with the recent floods and alleviate the miseries of the people up to this time since the commencement of these floods in the area affected?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing in detail the aid given by the Government in the flood-stricken area of the districts of Bogra, Rajshahi and Pabna, respectively, in the shape of—

(*i*) gratuitous relief;

(*ii*) agricultural loans;

(*iii*) distribution of rice;

(*iv*) of cloth;

(*v*) of fodder;

(*vi*) of medicines; and

(*vii*) of materials for rebuilding the destroyed houses?

(*c*) Will the Hon'ble the Member be pleased to state how many officers of Government—

(*i*) of the Public Health Department, and

(*ii*) of other departments,

are employed at present on the flood relief operations?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The member is referred to the Press *Communiqués* of 11th October and 9th November, 1922.

(*b*) The member is referred to the replies to starred questions No. XXV (*i*) and (*ii*) asked by Dr. Jatindra Nath Moitra on the 21st November, 1922, which give the allotments made up to date by Government

on account of (1) gratuitous relief, (2) charitable relief, and (3) agricultural loans. The cost of rice distributed is being met by the Collectors concerned from the grant for gratuitous relief; and that for cloth, fodder, medicine and house-building materials from the allotment for charitable relief. Government have also made a free gift of 150 lbs. of cinchona febrifuge for the districts of Bogra and Rajshahi.

(*c*) The member is referred to the answer to clause (*e*) of unstarred question No. 35 on the subject put at this meeting by Maulvi Hamid-ud-din Khan.

Wages of village watchmen.

81. SHAH SYED EMDADUL HAQ: (*a*) With reference to the answers given to my unstarred question No. 153 for the 28th August, 1922, will the Hon'ble the Member in charge of the Police Department be pleased to state whether the Regulations passed by Lord Cornwallis regarding the payment of the wages of watchmen from the stamp duties are still in force?

(*b*) If not, when and by what enactments have those Regulations been repealed?

(*c*) If those Regulations are still in force, will the Hon'ble the Member be pleased to state the reasons why the wages of watchmen are not paid from the stamp duties as provided therein?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) The member apparently refers to Regulation VI of 1797. It is no longer in force.

(*b*) It was repealed by several Regulations and Acts, a list of which will be found in the published chronological tables of the Bengal Regulations.

(c) This does not arise.

President panchayats.

82. SHAH SYED EMDADUL HAQ: Will the Hon'ble the member in charge of the Police Department be pleased to state—

(*i*) whether the president panchayats of Bengal are appointed in consultation with the local people;

(*ii*) the period of their term of office;

(*iii*) what are their powers and duties; and

(*iv*) what is the unit of jurisdiction of a president panchayat?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) Yes; appointments are made after inquiry by a magisterial officer among the people of the locality.

(*ii*) Three years.

(*iii*) The duties of the panchayat are described in section V of the Chaukidari Manual and the special duties of presidents are given in rules 129 to 140A. A copy of the Manual may be consulted in the Council Library.

(*iv*) The union, which is normally an area of 10 to 12 square miles.

Licences for firearms.

83. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) what are the qualifications required for the holding of a licence to possess firearms; and

(*ii*) the number of persons in Bengal having licences to possess firearms?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) The qualifications have not been rigidly defined. The guiding considerations are stated at pages 118 and 119 of the Bengal Arms Act Manual, a copy of which may be consulted in the Council Library.

(*ii*) The statistics kept are of licences under the Arms Act. At the end of last year there were 38,677 licences for the possession of arms.

Pabna-Bogra Settlement.

84. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it has been estimated how long the Settlement work will continue in Pabna-Bogra?

(*b*) If so, what is the period so estimated?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) and (*b*) According to the inception proposals draft publication should be finished in December, 1924, and final publication in August, 1925. Case work, it was estimated, would go on until April, 1926.

North Bengal flood.

85. Maulvi HAMID-UD-DIN KHAN: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*a*) whether he is aware of the great distress and difficulties of the flood-stricken people of Northern Bengal where devastation is said to have been caused to an area of 4,000 square miles;

(*b*) whether the Hon'ble the Member went to the affected area and how long he stayed there and how far he inquired into the matter;

(*c*) what sums of money have been sanctioned by the Government for the relief of those people;

(*d*) whether Government intend to advance agricultural loans, if so, to what amount;

(*e*) how many officers and doctors have been deputed to the affected area and how long the doctors (if any) stayed there;

(*f*) how many centres for relief have been opened by the Government by this time;

(*g*) how many centres for relief have been opened by private organizers;

(*h*) what do the Government think is the root-cause of the flood;

(*i*) what is the opinion of Dr. Bentley in this matter;

(*j*) whether the Government have made a final estimate of the number of deaths, of both men and animals, in the affected area by this time; and

(*k*) what steps the Government propose to take for the prevention of a similar occurrence of flood in the affected area?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes; the area flooded was approximately 1,800 square miles.

(*b*) I visited the flooded area towards the beginning of the second week of October last, stayed there for one day, inspected some of the worst affected areas and discussed matters with the local officers.

(*c*) and (*d*) The member is referred to the replies to starred questions No. XXV (*i*) and (*ii*) asked by Dr. Jatindra Nath Moitra on the 21st November, 1922.

(*e*) Altogether 56 officers and 45 doctors were deputed to the affected areas. According to the information received up to the 10th instant, with the exception of a few who have left, the doctors are still working.

(*f*) The number of relief centres opened by Government is 43.

(*g*) The number of relief centres opened by private organizers is 52.

(*h*) and (*i*) The member is referred to the Press *Communiqué* of the 11th October last. The root-cause of the flood was undoubtedly the exceptionally heavy rainfall. An inquiry will, however, be made as to how far the railway embankment is a contributory cause.

(*j*) The member is referred to the *communiqué* of the 9th November, 1922.

(*k*) The member is referred to the replies to starred questions No. XVI (*c*) and (*d*) put by Babu Fanindralal De on the 20th November, 1922.

Flood relief measures.

88. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the total area affected by the floods in Northern Bengal and Faridpur and other districts;

(*ii*) the number of families rendered homeless;

(*iii*) the amount of help given up to date by the Government to the sufferers by the floods; and

(*iv*) what further help it is proposed to render them?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that but for private charity on a wide scale the condition of the flood-stricken people would have been worse than what it is now?

(*c*) Will the Hon'ble the Member be pleased to state whether any special kind of financial help in the shape of loans through Co-operative Societies has been decided upon for the *raiyats* of the *ganja* cultivation area in the Naogaon subdivision?

(*d*) If so, what is the total amount of money to be given on loan for the purpose?

(*e*) Is the Hon'ble the Member aware that several areas have been worse affected than the Naogaon subdivision?

(*f*) If so, are the Government contemplating extending similar kind of help to all flood-affected areas as is to be given to the sufferers of the *ganja* cultivation area in Naogaon?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) The member is referred to the *communiqué* of 9th November, 1922, which gives the total areas affected by the recent floods in the Rajshahi division. The area affected by the flood in the district of Faridpur was 70 square miles.

(*ii*) The information is not available.

(*iii*) and (*iv*) As to Rajshahi division the member is referred to replies to starred questions No. XXV (*i*) and (*ii*) asked by Dr. Jatindra Nath Moitra at this session. A sum of Rs. 50,000 was allotted for agricultural loans in the Faridpur district.

(*b*) Yes.

(*c*) to (*f*) A sum of Rs. 1,60,000 has been advanced by the Naogaon *Ganja* Co-operative Society for loans to its own members. It is not available for other areas.

Non-official advisory committees to help in district administration.

87. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware that the Government of the United Provinces have accepted the principle embodied in a resolution moved at a recent meeting of the Provincial Legislative Council recommending the constitution of non-officinl advisory committees in all districts consisting of leading non-officials and members of the Legislative Council to advise the Collector on matters relating to district administration?

(*b*) Are the Government contemplating any measure so as to associate the leading non-officials of the district with the work of the district administration?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Government have no information.

(*b*) No such measure is contemplated.

Resolutions

(on matters of general public interest).

Mr. PRESIDENT: I call upon Babu Annada Charan Dutta to move the resolution standing in his name.

Babu INDU BHUSHAN DUTTA: May I have a ruling on one point? There were several resolutions on the floods yesterday. One was put to the Council and carried. As regards the other resolutions, is it your ruling that they lapse or are deemed to be withdrawn or lost, or can they be put to the Council again?

Mr. PRESIDENT: The member knows very well that it is within the discretion of the President to select a particular resolution and put it.

The resolution that was selected was put in the form of an amendment to a substantive resolution, and, as it was carried, it follows naturally that the substantive resolution as well as all the other resolutions and amendments fail.

Weaving School at Chittagong.

Babu ANNADA CHARAN DUTTA: I move that this Council recommends to the Government that a peripatetic Weaving School be started at Chittagong.

I beg to state at the outset that the request underlying this resolution is a very modest one. The necessity of weaving schools and the utility thereof have been sufficiently appreciated in all quarters, and thanks are due to Government for assisting the two permanent weaving schools, one at Jorhatgunge and another at Gajbari at Chittagong, but experience has shown that there are a certain number of hereditary *jolas* and weavers, of Muhammadan and other castes, who are very much averse to leaving their occupation and homes in the interior and to coming to the central places in order to learn the improved methods of handlooms now introduced. The result has been, therefore, that while even persons of the *bhadralog* classes, who have not taken to the occupation of weaving in one sense, are doing some sort of good work, the people who used to supply the district with their weaving productions have been left much behind. There are more than 500 Mussalman weaving classes in one of the thanas called Satkhania. There are other numerous classes of weavers in other places, and the suggestion which I make is that there should be some arrangement to reach these people and to give them some sort of training in the improved handlooms. I have reason to believe, and I thankfully acknowledge it, that the Government is very sympathetic towards this and also there is a proposal to send out a man for this sort of training. My resolution really does not want a permanent but a peripatetic school or something like that. Probably after six months or a year when these people will appreciate the advantage of the new training, there will be no further necessity of having any peripatetic school at Chittagong. I quite appreciate the present financial difficulties of Government, but for giving effect to such a small resolution with such a modest request, I believe the funds of the department may be sufficient, and I take this opportunity also for heartily thanking the Government on behalf of the people of Chittagong, for the steps which Government have taken or are likely to take to establish commercial and industrial schools, and I may also be allowed to say that if in giving effect to this resolution the establishment of the two other schools has to be delayed for a day, I would withdraw it.

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): I must oppose this resolution but I hasten to say that it is through no lack of sympathy on the part of the Hon'ble the Minister in charge of the Industries Department that I do so. The absence of the Hon'ble the Minister from the Council is under circumstances which, as the Hon'ble the Maharajadhiraja Bahadur of Burdwan said yesterday, we all deplore, and it is an absence which we all hope will be a short one. It is a circumstance, however, which is decidedly unfortunate for me in that it places upon me a duty which is not ordinarily undertaken by the occupants of these front benches, and it places upon me this duty at a time when I cannot look to my chief for encouragement. As I have said it is not for any lack of sympathy on the part of the Hon'ble the Minister that I oppose this resolution. The Hon'ble the Minister in charge of the Department of Industries is in entire sympathy with the desire of the mover and of those who, like him, wish these schools to be extended throughout the province. The sympathy of the Hon'ble the Minister is wider than that of the mover. In fact, it is not that we love Chittagong the less but that we love Bengal the more.

It is perfectly true, that there are numerous weavers in the district of Chittagong who are anxious for assistance to improve their craft. It is also true that in every district of the province there are similarly numerous weavers who are anxious to be taught the improved methods of the modern handloom. Now, Sir, the mover of this resolution has visualised the state of affairs at Chittagong. The Hon'ble the Minister in charge of the Industries Department has to visualise the same state of affairs in every district in this province, and the other members from the districts will bear me out in this.

It will also be agreed, I think, by the Council that a proposition of this kind, namely, the establishment of a peripatetic school is one which should derive a certain amount of support from local bodies, and it is a fact well worth noting that, when in the circular issued to the district boards of Bengal they were asked if they would assist p ojects of this kind, many of the district boards replied that they would gladly do so, but, unfortunately, the district board of Chittagong was conspicuous by its absence from the list of those who so replied in the affirmative.

Now, the policy of Government in connection with these schools is to extend them as rapidly as the financial position will permit and to extend them in the districts that need them and in the order of their need. If Chittagong is in need of a peripatetic school, it will get in time; it will get it in the order of its need, and if the desire is fortified by local offers of help it will get its school all the more quickly. As a matter of fact, in spite of what the mover of the resolution has suggested, the Agriculture and Industries Department has not entirely

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forgotten Chittagong or treated it as the tail of the province. We have already, as he points out, made proposals to send a peripatetic instructor to Satkhania which is a chief centre of the weavers in Chittagong. We have, as a matter of fact, under consideration grants-in-aid to three private weaving schools in Chittagong and we have endeavoured to get the municipality and the district board to help us in establishing a weaving school at Chittagong itself. There is also, as he points out, the suggestion for a commercial and industrial school at Chittagong. It cannot be said then that we are overlooking the claims of Chittagong.

I think, Sir, if I understand the mover aright, he will be satisfied if for the present we go on with our scheme for sending a peripatetic instructor to Satkhania. I think I can say that we shall do our best to put that proposal into force as soon as possible, and in view of this and in view of the sympathy which we have in this direction not only for Chittagong but for the whole of Bengal, I trust that the mover will carry out the suggestion in the last sentence of his speech and withdraw this resolution.

Babu ANNADA CHARAN DUTTA: I thank the hon'ble gentleman for his kind reply though I take exception to one point, namely, that it is not a fact that Chittagong has not been really overlooked or ignored for the sake of the whole of Bengal. I am just reminded of what a European gentleman said at the time of the annulment of the partition of Bengal that it would be better for Chittagong to be the head of the new province instead of being its tail, because all the nourishment will be given to the upper part and the tail will never come in for its share; and perhaps if we take concrete instances, I shall be able to satisfy my friend that this has been the case. In any case, this is the grievance of the people of Chittagong. Generally, whenever any medical scheme or other scheme is put forward for distant places like Chittagong, financial difficulties are always raised. I hope and trust that Chittagong will not be forgotten this time and that we shall be treated with equal sympathy, and with the assurance given that a peripatetic instructor will be sent out, I have no objection to withdraw my resolution.

The motion was then, by leave of the Council, withdrawn.

Serampore Weaving Institute.

Professor S. C. MUKHERJI: I move that this Council recommends to the Government that a committee with a non-official majority be appointed to investigate and report on the proposed establishment of the Government Weaving Institute at Serampore on the land immediately to the east of the Serampore College grounds, provisionally promised by the Government of Bengal under Lord Ronaldshay.

I should like to make a short statement regarding the main facts of the Serampore Weaving School. Since the year 1907 the authorities of Serampore College have been urging on the Government their claims in the interest of the growth and continued existence of the college to the land to the east of the college compound as far as waterworks boundary. The Government of Sir Andrew Fraser definitely recognised the claims of the college, but no definite steps were taken either under the administration of Sir Andrew Fraser or of that of his successor in giving effect to the proposal. In the year 1916, however, a portion of the land immediately to the east of the college was handed over to the college authorities for development purposes, and the Hon'ble Mr. P. C. Lyon on visiting the college on the College Foundation Day on the 3rd February, 1917, spoke as follows, after consulting, as the College Faculty has grounds for thinking, his fellow-members on the Governor's Council:—

In another matter, also closely affecting the prosperity of the college, they have the cordial sympathy of Government and that is the matter of the expansion of their buildings along the river frontage to the east. This expansion is blocked for the present by want of funds from which the college suffers as severely as the Government and by Government's inability to relinquish just at present the land originally acquired by it for the Serampore Weaving School. But the development of that school will require a new and a larger site and the Government appreciate the fact that the hope that the college entertains of being allowed to expand in this direction is a legitimate one and one in which they are entitled to the assistance of Government in due course.

In December, 1918, His Excellency Lord Ronaldshay presided at Serampore College Convocation and made the following statement:

As long ago as February, 1917, Mr. Lyon stated publicly that the hope which the college entertains of expanding in that direction was a legitimate one and one in which they are entitled to the assistance of Government in due course. From that attitude the Government have not the slightest intention of receding. Definite proposals for the removal of the Weaving School from its present site have actually been under consideration, but the estimated cost has hitherto stood in the way of their being accorded sanction. The land is not, therefore, at present available, and it is beyond my power to say when it will be. All that I can say is that there is a reasonable probability of its becoming available within a not very distant future; and that if this expectation is realized I should hold that the College had the first claim upon Government in respect of it.

Since then, the Reformed administraton has come into existence, and the question of the Government Central Weaving School falls under the Ministry of Industry.

I understand that the Hon'ble the Minister of Industry has taken a definite attitude in the matter. He is of opinion that the Central Weaving Institution ought to be permanently located at Serampore and that on the ground situated to the east of the Serampore College grounds. This attitude on the part of the Hon'ble the Minister raises two very important issues:—

(1) Is the land adequate for the purpose of the Weaving School or is it quite inadequate for its full expansion?

(2) Will it mean a serious interference with the future development of the Serampore College which is in existence there for over a century and is doing a noble piece of work?

So far as the first issue is concerned, I am perfectly sure that an impartial committee will come to the definite conclusion that it is certainly inadequate. I should like to quote here the opinion of the Director of Public Instruction. He says:—

The more urgent thing is to do something for the Government Central Weaving School. The work which centres round this institution has been successful, but the accommodation at Serampore is hopelessly bad It is a great pity that the only really promising industrial work which is being done should be hampered in this way. There is no advantage whatever in carrying on the work at Serampore. Neither expansion nor improvement is possible there The land at Serampore, which was bought by Government some time ago for a new weaving school, is quite inadequate for the purpose Moreover, it would be grossly unfair and stupid to keep this land from the Serampore College I have long since come to the conclusion that the removal of the Weaving Institute from Serampore is imperatively urgent and that land should be acquired near Calcutta, preferably on the river bank, and that on this land there should be constructed buildings suitable for the Weaving Institute I think that sufficient land should be acquired to admit of the expansion of the institute's scope

I think that considered judgment from such high authority is to be regarded as conclusive. So far as the second issue is concerned, the future expansion of the Serampore College will be doomed for ever. It will be sandwiched between the Indian jute mills on the west and the projected Weaving Institute on the east. On the north there is the Ganges and the south is inhabited by highly respectable ancient families whom it will not be possible for the college to dislodge. There is a mosque on the south of the college which cannot be touched. The future expansion of the college will be seriously crippled if the land in question be made a permanent habitation of the Weaving Institute. The Hon'ble the Minister for Education and the Director of Public Instruction paid a visit to the college in August, 1921, and were most sympathetic in their attitude towards the college. The college has been most generously and sympathetically treated by Government. Now that the college is looking forward to development in the near future as soon as funds permit, is the Government going to create an impossible situation for it? I think I have made out a *primâ facie* case for the matter to be carefully gone into by a committee. My demand is a very, very modest one and I sincerely trust and hope it will be acceded to by the members of this House.

Mr. DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I support this resolution and I think, as my friend has said, it is a very modest resolution All that he asks for is that a committee might be appointed and that the matter might be investigated and reported on by that committee so that, at least to a very large extent, everything will depend upon the decision of that committee. Under the circumstances, I

think, there cannot be any reasonable objection on the part of Government to accede to the just and modest demand of my friend and to accept this resolution.

Mr. H. BARTON: I have much pleasure in supporting this resolution. The mover has made his case very clear. I do not think the Council will object to the very modest request that a committee should be appointed to go into this matter. The claims of the college, we find, were recognised by two Governors and one member of the Executive Council and each of them had, to a very large extent, given hopes that this ground would very shortly be handed over to the college, but 1907 to 1922 seems to be a very long time and in view of the very pronounced statement made by two Governors and the member whose name has been mentioned, I think it will be only fair for this Council to accept the resolution that a committee of inquiry be appointed.

Mr. J. T. DONOVAN: I rise again to oppose this resolution; and if when I rose on the last occasion I deplored the absence of my chief, I must deplore even still more his absence now when I find arrayed against me all this academical talent and even the Deputy-President. I have had quoted against me the opinions of two Governors and of Mr. P. C. Lyon, not to mention the opinion of Mr. Hornell. I shall deal with the opinion of Mr. Hornell first. The mover of this resolution has quoted Mr. Hornell as saying that it was imperatively necessary for us to clear out of Serampore. I wish to quote an opinion of Mr. Hornell's *verbatim*. Mr. Hornell said on another occasion—not the same occasion about this institute—

> Its present accommodation is both unsuitable and inadequate and I am told by Mr Hoogewerf that it would be difficult to obtain any site at Serampore other than the one already acquired [i.e., the one we are now asked to give up]
>
> I recognise the position of the Serampore College but, holding as I do that the weaving school ought in any circumstances to remain at or near Serampore, I should very much regret to have to prejudice the future of that institution by a surrender of the land already acquired if, as I understand, there is a chance of our not being able to obtain another site in that locality now

DEPUTY SECRETARY to GOVERNMENT, EDUCATION DEPARTMENT (Mr. W. W. Hornell): May I have the date of the document?

Mr. J. T. DONOVAN: The date of the document is 1915.

Mr. W. W. HORNELL: May I rise to a point of personal explanation? A year of conviction elapsed between that opinion and the other.

Mr. J. T. DONOVAN: My argument on this point may be expressed as *quot homines, tot sententiæ*. If you appoint a committee rather if you choose your committee—you will get whatever opinion you wish. I am quite prepared to accept the resolution if it is left to me to choose the committee. (Hear, hear.)

Rai RADHA CHARAN PAL Bahadur: Very frank, indeed!

Mr. J. T. DONOVAN: Mr. Lyon has been quoted as promising the land. It is a long time since Mr. Lyon was here and I do not think he had any right to make the promise. Two Governors have been quoted as supporting this proposal. There, again, I must say that there is some misrepresentation. Lord Ronaldshay's promise was, as the mover of the resolution admits, purely provisional. Lord Ronaldshay said that, under certain circumstances, the college would be deemed to have a claim upon that land. Those circumstances have never arisen; not only that, but the likelihood of their arising is even still more distant now than ever.

There are many colleges in Bengal but there is only one Weaving Institute. When the last resolution was being discussed, you heard the mover say how people in the mufassal are longing to learn weaving and to introduce better looms amongst the weavers. We have only one place from which we can get the necessary teachers and that is the Serampore Institute. To make room for the Serampore College to expand we are asked to move out of the land which we bought in 1906 and which we certainly cannot get now for the same price or five times the same price. Again, within the last few years we have seen a great development in the weaving industry in this province, encouraged by the co-operative societies and the Department of Industries. The weaving industry has received a great impetus; it began when the price of cloth rose to an abnormal extent during the war and since then that impetus has gone on and even now it is stronger than ever. In proof of that I assure this House that last year 2,000 students applied for admission to the Weaving Institute and we have only accommodation for 150. Therefore, we were unable to take even 10 per cent. of those who had applied and these students were eager to learn the profession in order that they might go out into the world to teach weaving and get good salaries. Raja Kishori Lal Goswami, who lives in Serampore, has said that every student who has left this institute is employed to-day and some of them are getting so much as Rs. 500 a month. Can Professor Mukherji say that of the Serampore College? As I have said, we have many colleges which turn out matriculates and graduates every year, but we have only one Weaving Institute. This institute is turning out middle class men educated to be able to go round the country into different districts and teach weaving. They have sent five men to the district of Bankura. I know that the weavers themselves are eager for more. In the area affected by the flood, which we have discussed so much, at Ranaghat, the weaver-cultivators are anxious to learn better methods so that they may employ themselves profitably between the seasons of cultivation, and they asked for men from Serampore.

It is not so long since that this Council proposed that there should be a committee appointed to investigate the causes of middle class

unemployment. As I have said, Raja Kishori Lal Goswami has said that every man who goes out of the Serampore Institute is employed. Are we to solve the problem of unemployment by the Serampore College or by the Weaving Institute? We have had a hundred colleges for a hundred years and we have the question of unemployment still with us. We have no student of the Weaving Institute unemployed. It is the ambition of many members of this Council—a laudable ambition too—to see the people of this province revive their handloom weaving industry and weave their own clothes. There is no reason why every cultivator should not weave the cloth that he wears and an idea of the Weaving Institute is to teach them to do so. The Serampore Weaving Institute has not yet got sufficient room and if we adopt this resolution we must throw this idea to the winds.

I have spoken of the expansion of the Weaving Institute. I forgot to mention, or rather I postponed mentioning, that within the last ten days a very important expansion has taken place, because for the first time in its history, it has been decided to admit women into the Serampore Weaving Institute. There are to be six women who will be taught how to teach weaving and twelve who will come in to learn weaving. This innovation is due to the Young Women's Christian Association who have now taken up a house in Serampore.

I have not much more to add, and I think that, on consideration, the members of this Council will agree that it will be a calamity, until we can find a place and until we can find funds to provide a proper weaving institution, and not only until the Weaving Institute is provided with funds in the Budget and on files, but until brick and mortar have been put together and the building has been constructed and fully equipped and the looms are there, until all this has been done, it will be a calamity to take the risk of loosing the institute and it is this risk we are now asked to take. I would also remind the Council—I believe there are many lawyers here who know it—of the good old adage that possession is nine points of the law and we are now in possession. I trust, nay, I am confident that members of the Council will consider carefully the consequences if they decide to strike such a blow at the Weaving Institute which we are so anxious to assist, and that they will reject this resolution.

Babu INDU BHUSHAN DUTTA: When there is a tussle between the Department of Education and the Department of Industries, it cannot be an enviable position for the Hon'ble the Minister, who is now in charge of both these departments. Those of us, who take much interest in the Weaving Institute, know that the present state of affairs is most uncomfortable. This school, which is one of the very few bright spots in the cloudy Department of Industries, is situated in one place, the boarding in another, and we feel that this arrangement cannot continue any longer and that something must be done to remedy this state

of things. For this purpose, a piece of land was acquired; and I do not know why Professor Mukherji and the Serampore College authorities have been raising this question over and over again. There must be a finality in this case, if this institute is to continue in Serampore. I have been informed on good authority that there is no other place, where the school and the boarding can be accommodated together. Therefore, this resolution must be considered from that point of view. But if the Government is agreeable, and if the members of this Council have no objection, I should like to suggest that Dacca, which is the centre of weaving, should be the centre of a weaving institute. If Mr. Donovan has no objection, and if the Hon'ble the Member in charge of the Finance Department will give the necessary funds we from East Bengal, would like to please Professor Mukherji, by taking this institute away from Serampore to Dacca. In that view of the matter, I have no objection to supporting the resolution for the appointment of a committee.

Rai RADHA CHARAN PAL Bahadur: After the very able, lucid, and eloquent speech of Mr. Donovan, I do not think that there is anything left for me to say in support of the Serampore Weaving Institute. I listened with great interest to the speech of my friend, Professor Mukherji, and as soon as he resumed his seat, I quietly approached him and asked him for his views as regards the location of the Weaving Institute, because he did not touch on that point in his speech. I thought that he had some idea as to where the Weaving Institute could be located and where it would have more extensive accommodation. From the conversation I had with him—I hope he will pardon me for referring to the private conversation I had with him—I gathered that he had no concrete proposal as to the future location of the Weaving Institute. Having regard to that fact, I think we should be very reluctant, indirectly as it were, to agree to the removal of the Serampore Weaving Institute from the place where it is now located, and the possibility of its expansion being for ever curtailed. Mr. Donovan is the official spokesman and he has indeed spoken very frankly, as he has said that if it is left to him to choose his committee, he will have no objection to accepting this resolution. I do not think that that is possible in these democratic days. Perhaps, my friend, Professor Mukherji, will have it the other way. Therefore, I am very reluctant to give my unqualified support to the resolution, and I have my personal reasons for the same. Personally, I am greatly indebted to the Institute. I am Secretary to the District Charitable Society, and we have, through the fostering care and guidance of our President, Sir Asutosh Chaudhuri, established an industrial school to teach weaving to widows and orphans, who are recipients of our charity. Under our constitution we have to give them some monthly stipends for their maintenance which are quite inadequate in these days of high prices; and our Committee

thought that it would be better especially at the present time when there is happily that enthusiasm for spinning and weaving to take advantage of the present situation, and to introduce weaving and spinning amongst these helpless widows and orphans. We have, therefore, started the industrial school for that purpose, and I may say that we had the greatest possible difficulty in securing a suitable teacher. I am personally grateful to Mr. Hoogerwerf for giving us a qualified teacher from the Weaving Institute. We were once invited there and we found that admirable work was being done there. I should say to those who have got high academic degrees that here is an institute which is doing admirable work and which is much sought after by my countrymen. I hope that it will not be the only one of its kind, but that there will be half a dozen of such institutes round about Calcutta.

I was indeed much interested to know from Mr. Donovan that he has got 12 women students. It is of the greatest necessity to send teachers to teach widows in poor families weaving and spinning, so that they may earn their own livelihood. I think, therefore, that such an institution where the authorities had to refuse admission to more than a thousand boys for want of accommodation should not be crippled and its prospects marred for ever. I feel that the matter should be taken up departmentally by the Hon'ble the Minister for Education and the Hon'ble the Minister for Agriculture and Industries to make such arrangements that it would be possible to maintain and extend the Weaving Institute and as far as practicable to help the Serampore College. We have got only one Weaving Institute in this part of the province, whereas we have got colleges by dozens and hundreds throughout this presidency. Vocational education is the crying need of the hour.

Babu AMULYA DHONE ADDY: I sympathise with Professor Mukherji, but from what I have heard from him, I am convinced that the Serampore College needs some additional land; but it appears from what I have heard from Mr. Donovan, that we should give encouragement to industrial education in preference to general education. Our esteemed friend, Babu Indu Bhushan Dutta, has suggested that this Weaving School may be transferred from Serampore to Dacca. What I beg to submit is that there should be a weaving institute not only in Dacca but in every district of Bengal; and the sooner it is done, the better. We have got a number of colleges in Bengal. Our courts are overcrowded with lawyers, and the time has come when we should try our best to encourage industrial education. Under these circumstances, I am sorry I cannot support Professor Mukherji.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Mr. Donovan has undoubtedly made out a very strong case. There is no doubt whatsoever that the Serampore Weaving Institute should neither be removed nor crippled in any way and that every facility should be given to it

for expansion. By saying all this in favour of Mr. Donovan I cannot help supporting Professor Mukherji in this matter. We, the people of Bengal, cannot forget Carey and Marshman and their names are cherished in our memory and our sympathies go out to the Serampore College and I believe every one here should support any demand which the Serampore College makes upon us for expansion, at least for the association of the two names with it. Their names are not only revered in Bengal but regarded with gratitude and their names are beloved in Bengal; and mind you, gentlemen, that the Serampore College gets money not from the people of Bengal but from the people of England. This is a charity given by the people of England to the people of Bengal and why should not the people of Bengal give a piece of land not free but for a price? It is said that Classes have been opened for women and the Weaving Institute cannot get land. I therefore propose both to Mr. Donovan and to Professor Mukherji that they should pay for the land adjoining them and out of that money the Serampore Weaving Institute should purchase land elsewhere. That is a proposal to which nobody can object—no rational man can object. Therefore, the proposal of Professor Mukherji to appoint a committee does not seem unreasonable and I say that this matter should be referred to the arbitration of the Education Minister the Hon'ble Mr. P. C. Mitter, and let him decide this matter, and if he agrees to it I suppose Professor Mukherji will agree to it.

Babu SURENDRA NATH MALLIK: I must confess that I feel it my duty to agree with my friend, Professor Mukherji, in this matter, knowing, as I do, the Serampore College and the place. I think that there is no point in depriving this college of its legitimate place for expansion. Much has been said by my friend, Mr. Donovan, by way of comparison in money value between the earnings of the students of the college and of those of the Weaving Institute. To me, however, the comparison seems to be inconceivable. Supposing it to be a fact that a man coming out from the Russa Engineering Works earns Rs. 250, whereas a youngman after graduating himself from the Presidency College earns only Rs. 50, is it reasonable to say that the Presidency College should be abolished and another workshop set up in its place? It is the most ridiculous argument ever heard—a most ridiculous argument—that because a man from the Serampore Weaving Institute earns Rs. 500 a month and from Professor Mukherji's college a man cannot learn Rs. 50 after graduating, therefore break down that college or squeeze it as much as possible and have a Weaving School there. There is a limit to things. When our esteemed friends come and promise to help us so much in our industrial development, I am almost disposed to think that there is something which looks rather suspicious.

Then, again, there is another point. No doubt industries are good. No doubt, the Weaving Institute is a useful institution, but to help a

newly earning son of mine, I need not torture my old and affectionate father. Is this necessary? No. You can have both—I do not mind. One need not injure the other. We have got the Serampore College which is to my mind a place of pilgrimage to every cultured man in Bengal. What is the reason? Why this anxiety to put the college into difficulties on account of a Weaving Institute which has acquired a special merit because only 12 women have gone there for instruction from a society in which Rai Radha Charan Pal Bahadur is interested? There is a limit to things. Here is the Serampore College, over 100 years old—almost a University in itself. Is it to give way to a Weaving Institute because, it is said, a man who goes there can earn Rs. 500 a month? ¶ question that. Again, I say I do not think that there is any reason for doing this.

As for a committee, I think that this is rather to my mind a clumsy machinery. Well, I do not know, but if it were a matter in connection with the comparatively small concern placed under my charge in the Corporation, what I would have done is I would have a cup of tea in the morning and get into a motor, go to Serampore and see for myself which of these two institutions deserves the plot and I will take my file, write down a note on it and finish and return. It may be that my Commissioners will come down upon me for unconventional behaviour. In the present case, I would ask my esteemed friend, the Hon'ble Mr. Mitter to take advantage of the present situation, now that he is carrying on the work of both the departments, to go down there, see the place for himself and see which institution deserves it more. Give it either to the institute or to the college—that finishes the matter. Why a committee? I do not find any use for a committee! It is a very small matter and my esteemed and Hon'ble friend, Mr. Mitter, is quite capable of going down and determining for himself as to what has got to be done. The question is whether a plot of land should be given to A or B. The Hon'ble the Minister who is in charge of both the departments is a fair-minded man and he can decide the matter himself——

Dr. HASSAN SUHRAWARDY: May I rise to a point of order? Is the Hon'ble the Minister in charge of Education also in charge of the Department of Industries as is stated by Babu Surendra Nath Mallik?

Babu SURENDRA NATH MALLIK: May I rise to a further point of order. Is this a point of order at all?

Mr. PRESIDENT: I do not think that Dr. Hassan Suhrawardy's point is a point of order at all.

Babu SURENDRA NATH MALLIK: Now that the point of order has been settled, we may go back to the question we were discussing. It is a very small matter. As I said, if Professor Mukherji will be pleased to accept the suggestion, then Mr. Donovan and he both these

gentlemen can go along with the Hon'ble the Minister and finish it. That, I think, is the best way of coming to a settlement, a satisfactory settlement of this matter.

Rai MAHENDRA CHANDRA MITRA Bahadur: Being a local man, I have followed the speeches of the previous speakers with great interest. The whole issue has been confused. There is a small plot of land in possession of the Weaving Institute, which the Serampore College wants but the Weaving Institute has a special liking for it. The Serampore College has a historic interest and every one would like to see the expansion of that college. B. A., M. A. and Theological Degrees are conferred by that college and consequently the public at Serampore would like to see the college developed and expanded. On the other hand, everybody desires that there should be a weaving institute. No one denies the usefulness of a weaving institute and much has been said about it, and Babu Indu Bhushan Dutta, seeing that there is a difference of opinion, amongst some of us in West Bengal suggests that there should be weaving schools all over his part of the country. The real point is this. Supposing this plot of land be not given to the college authorities, there will be less expansion of the college. What benefit will the Weaving Institute derive if it is located only upon 6 or 7 bighas of land? The Weaving Institute authorities ought not to leave the future expansion of the institute out of their consideration. On the other hand, if the Weaving Institute and the Serampore College be allowed to stay where they are, there will be no future expansion for either. Therefore the best plan is that the Weaving Institute should be allowed to stay where it is until the authorities are in a position to find another site for the institute. I think that the proposal of Professor Mukherji is a modest and a reasonable one. Professor Mukherji does not say that the Weaving Institute should not stay there provisionally or temporarily, but he requests that an inquiry be made on the subject. I think, Sir, that this is a reasonable suggestion.

The Hon'ble Mr. P. C. MITTER: I desire to intervene at this stage on behalf of my Hon'ble Colleague the Nawab Sahib, whose illness we all deplore. Whatever I put forward, I do mainly on behalf of the Nawab Sahib. Certain observations have, however, been made about the part that I took as Minister in charge of Education, and I shall shortly touch on those points as well. In the first place let me make one point clear—the point raised by my esteemed friend, Babu Surendra Nath Mallik—that I am in charge of the Department of Education as well as the Department of Industries and Agriculture. That is not the position. It is true for a few days when my Hon'ble Colleague was ill, I did some work on his behalf, he taking every responsibility for the work which I did for him. I was not for a single day in charge of the portfolio of Agriculture and Industries and to-day, if I am

speaking on behalf of the Hon'ble the Nawab Sahib, I am doing so just as one Minister helps another, and whatever I am putting forward, I am putting forward in furtherance of the policy which he has adopted in this matter.

Now, with these preliminary observations, Sir, may I point out that the appointment of a committee will not perhaps serve the object which Professor Mukherji has in view? Well, let us assume that the committee recommends that this particular plot of land which the Serampore College wants should be given to the Serampore College, and let us further assume that the committee recommends either that the Weaving Institute should be removed from its present site or that the Weaving Institute will require more land. I dare say that every member of this House will appreciate that any such recommendation will require money. Well, members of this House must have heard the statement made by the Hon'ble the Finance Member in answer to certain questions put by members, that at the present moment the estimated deficit of the Government is Rs. 85 lakhs. We cannot spend even Rs 50,000 if we wanted to do it. What is the good of wasting more money over a committee? A suggestion like the one which fell from Rai Jogendra Chunder Ghose Bahadur or Babu Surendra Nath Mallik is a different proposition altogether. With regard to the suggestion which fell from Rai Jogendra Chunder Ghose Bahadur, I should like to know whether the Serampore College is willing to pay for the land which, according to the Rai Bahadur, should be taken from the Weaving Institute? But these are matters which I think can be settled easily by negotiation, and if we can come to a satisfactory conclusion, there is no reason why my esteemed colleague the Nawab Sahib will do something which, according to Professor Mukherji, will jeopardise for ever, the future expansion of this ancient college. The Serampore College is one of the oldest established colleges in Bengal, it has a charter from the Danish Kings; with it is associated the hallowed names of Marshman and Carey and others; it is a college in which every one is interested, but however much we may be interested in the well-being of this college such interest cannot really solve the present problem. On the other hand, the Weaving Institute also is an institution which is doing the greatest possible good to those who desire to have opportunities of instruction in that institution. We have to decide the matter in such a way that neither the Weaving Institute nor the Serampore College should suffer. It is not a question as to whether we should give more prominence to cultural education or as to whether we should give greater prominence to mere manual instruction. Different people may have different views on this question but that aspect of the question—with due respect to those who have put forward this aspect—is not relevant. It must be conceded that the Weaving Institute is doing good work; it must be allowed to do this good work and unless we can remove it somewhere else there is no option but to keep it in its present position.

Now, Sir, Professor Mukherji has stated that in the past Lord Ronaldshay made a conditional promise. In his resolution he was very careful to say that the promise was provisional; that is so. Now, may I, Sir, quote a passage as to what Lord Ronaldshay actually said?—

Definite proposals for the removal of the Weaving School from its present site have actually been under consideration, but the estimated cost has hitherto stood in the way of their being accorded sanction. The land is not, however, at present available, and it is beyond my power to say when it will be. All that I can say is that there is a reasonable probability of its becoming available within not a very distant future, and *if this expectation is realised* [I draw, with your permission, the attention of this House to this passage] I hold that the College has the first claim upon the Government in respect of it.

But unfortunately for the college, that expectation has not been realized. My Hon'ble Colleague has not found it possible to remove the Weaving Institute from its present site. Therefore, that expectation has not been realized.

Now, Sir, certain observations were made about the opinion of Mr. Hornell, the Director of Public Instruction, and from these observations a point was sought to be made that according to Mr. Hornell's ideas, the Serampore Institute ought to go from that site. From certain other observations, a point was attempted to be made that this was not Mr. Hornell's idea; but if you read an opinion away from the context, you get yourself into difficulties. The real position is that Mr. Hornell at one stage was discussing the question of locating the Weaving Institute as a part of the bigger question of the location of a Technical Institute in Calcutta On the other occasion he was dealing with the question of the Weaving Institute alone. There is no inconsistency in the two opinions expressed by Mr. Hornell. However, any opinions expressed up to the year 1920 are hardly of any use to us to-day. As members are aware, it was quite easy for the Government before this unfortunate province was left a bankrupt province by the Meston award to finance any scheme costing something like Rs. 10 or 20 lakhs. Unfortunately from the day the Meston award was accepted, this province is more or less a bankrupt province. However much my Hon'ble Colleague and I may sympathise with the institutions under our charge, it is not open to us to give effect to our respective desires without burdening the province with further taxation. Therefore, we, the Ministers, must go slow and these difficulties none could realize better than the members of this House. Consequently, I would suggest to Professor Mukherji that the best thing that he can do is to withdraw his resolution. If the matter can be settled by negotiation certainly we should attempt to settle it, but that settlement must not be by jeopardising the interest of one institution for the benefit of the other. Well, the Serampore Weaving Institute is there and as Mr. Donovan has said, possession is nine points of law. Apart from that, the Serampore College has no right to this land unless the Weaving

Institute gives it up; therefore, no good purpose will be served by appointing a committee beyond wasting a little money.

Professor S. C. MUKHERJI: I wish to make one thing perfectly clear that the Serampore College has no animus against the central Weaving Institute at Serampore. The position of the college is this, that if the two institutions can grow side by side without either being permanently crippled, so far as its development is concerned, I am perfectly sure that the Faculty of the Serampore College would be perfectly willing to listen to any reasonable proposal which will go towards the solving of this acute problem. The position of the Serampore College is this that if this land immediately adjacent to the Serampore College grounds is made the permanent habitation of the Weaving Institute, then the future expansion of the college is doomed for ever. We should like to see this central Weaving Institute grow, and prosper and become one of the most efficient institutions in Bengal. The difficulty is the proximity of the two pieces of land. We cannot go anywhere else; you cannot uproot that edifice, you cannot uproot that hostel, and you cannot uproot all the buildings there covering nearly 10 to 12 bighas of land. The ideal of the college is to make it residential and teaching and in order to realize that ideal, with which Government is perfectly sympathetic, it is looking forward to further development. It is perfectly true that we are going through hard times faced with a difficult financial situation. The Serampore College has no intention whatever to put the Government Weaving Institute into any inconvenience at the present time. But surely this financial stringency will not last for ever. Sooner or later financial stringency will pass away. I think my information is correct, that there are suitable lands available for the full development and expansion of the Weaving Institute. If money is the only difficulty just at the present moment, it can remain where it is. We want to safeguard our position that it may not be finally and permanently decided that the Weaving Institute should be a fixture. If there is financial difficulty, let things go on just at present. But the difficulty of the Serampore College is that the Hon'ble the Minister in charge of Industries wants to make the Weaving Institute a permanent habitation—that is the whole point—and this will practically mean crippling the expansion of the Serampore College once for all. If an assurance is given on behalf of the Minister that it will not be made a permanent fixture at the present stage, things can go on just as they are. I am perfectly sure that the Faculty of the Serampore College will take up a reasonable attitude in this matter; but if the position be to make it a permanent habitation and to put an end for over to all hopes of expansion, it will be impossible for me to withdraw the resolution. If the Hon'ble the Minister in charge of Education, who is speaking on behalf of the Minister in charge of Industries, can give me this assurance, that things

will remain as they are and that the Weaving Institute will not be made a permanent fixture, I am prepared to withdraw my resolution. I can take that responsibility on behalf of the Serampore College. I wait for an answer.

The Hon'ble Mr. P. C. MITTER: I am speaking on behalf of the Hon'ble the Minister in charge of Industries, and it is not possible for me to give an assurance one way or the other on that point.

Professor S. C. MUKHERJI: In the circumstances, I am exceedingly sorry I do not see my way to withdraw my resolution.

The resolution was then put and a division taken with the following result:—

AYES.

Ahmed, Maulvi Azaharuddin.
Ahmed, Maulvi Rafi Uddin.
Arhamuddin, Maulvi Khandakar.
Barton, Mr. H.
Bhattacharji, Babu Hem Chandra
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Fazlal Karim.
Das, Babu Bhishmadev.
Dutta, Babu Indu Bhushan.
Ghose, Rai Bahadur Jogendra Chunder.
Janah, Babu Sarat Chandra.
Makramali, Munshi.
Mitra, Rai Bahadur Mahendra Chandra
Moitra, Dr. Jatindra Nath.
Mukherji, Professor S. C.
Mukhopadhaya, Babu Sarat Chandra.
Mullick, Babu Nirode Behary.
Raikat, Mr. Prasanna Deb.
Ray, Babu Surendra Nath.
Roy, Babu Jogendra Krishna.
Stark, Mr. H. A.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ahmed, Munshi Jafar.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Chaudhuri, Maulvi Shah Muhammad.
Choudhury, Maulvi Rahmatjan.
Cohen, Mr. D. J.
Colvin, Mr. G. L.
Da, Babu Fanindralal.
Deare, Major-General S. H.
DeLisle, Mr. J. A.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Annada Charan.
Emerson, Mr. T.
Farequi, Mr. K. G. M.
French, Mr. F. C.
Ghose, Mr. D. C.
Goode, Mr. S. W.
Haq, Shah Syed Emdadul.
Hornell, Mr. W. W.
Huntingford, Mr. G. T.
Huq, Maulvi Ekramul.
Hussain, Maulvi Muhammad Madassur.
Khan, Maulvi Hamid-ud-din.
Law, Raja Reshee Case.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Mary, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Nakey, Mirza Muhammad Ali.
Pal, Rai Bahadur Radha Charan.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-Rauf, Maulvi Shah Abdur.
Ray, Rai Bahadur Upendra Lal.
Rishi, Babu Rasik Chandra.
Roy, Mr. Bijoyprosad Singh.
Roy, Mr. C. N.
Roy, Mr. J. N.
Ray, Rai Bahadur Lalit Mohan Singh.
Roy, Raja Manilall Singh.
Sinha, Babu Surendra Narayan.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. Hassan.

The Ayes being 22 and the Noes 52, the motion was lost.

Mr. PRESIDENT: I propose now to call upon Maulvi Ekramul Huq to move the resolution standing in his name and in connection with this resolution, the resolutions on the same subject standing in the names of Raja Maniloll Singh Roy, Babu Surendra Narayan Sinha and Rai Mahendra Chandra Mitra Bahadur will be regarded as amendments to it. After we have disposed of the resolutions I have mentioned we will come to the resolution regarding a sluice-gate at Kalukhali standing in the name of Babu Surendra Narayan Sinha.

The river Bhagirathi.

Maulvi EKRAMUL HUQ: I move that this Council recommends to the Government that immediate steps be taken to secure and preserve a continuous flow of the river Bhagirathi so as to make it navigable throughout the year.

In commending this resolution for the acceptance of the House, I am sure that it will not be necessary for me to deliver a long speech or to say much in reply, for I feel certain that the Hon'ble Member for Government will see his way to accept the same though he may think it proper to move his resolution in different words. It is a known fact that not very long ago the river Bhagirathi was the water route for the trade of the districts lying on its banks But at present it so happens that there are places where it is not possible even for a small country boat to pass, and it must be remembered that it is a river which once gave health and plenty to the people residing on its banks. But now the silting up of the river has resulted in pestilential diseases carrying away hundreds of thousands of the population of the country. It is well known that responsibility for unavoidable calamities cannot be attributed to Government though it is held responsible and in this particular case it may be mentioned here that the popular belief is that for the silting up of this river the Government is mainly responsible, for it is said, though of course without foundation, that the source of this river was once covered with sheets of lead which were removed by Government officials and it is because of that that sand is deposited now at the source with the result that gradually this river has become silted up and it is not possible even for a small country boat to pass during the dry season. The question of increase in the flow attracted the attention of Government before as a result of the endeavours of the members of the former Council and dredgers were employed at the source. But, unfortunately, the result was not what was desired and the Government thought that the money was wasted. Though I am not in a position to give an opinion as to what should be done to increase the flow, I could guess that formerly when the dredgers were used that they used to take out sand at a particular spot and deposit the same on the banks with the result that if they got the sand from

one particular place to-day they lost it in the course of a few days. So this was absolutely of no use. At present when you have got many dredgers I hope that the Hon'ble Member will at once start dredging the river and it will not be before long that we shall be able to get an increase in the flow quite sufficient for small country boats to pass during the dry season. One thing which I would like the Hon'ble Member to bear in mind is that the water of the river is being used by many thousands of people inhabiting on the banks and if nothing is done in this direction then cholera, small-pox, and diseases of that nature are bound to take away a large portion of the population of the districts as in previous years.

With these words I commend my resolution to the House.

Raja MANILOLL SINCH ROY: I move that this Council recommends to the Government that immediate steps be taken for the increase of the flow of the river Bhagirathi.

The resolution I have just placed before the House is one of vital importance. My humble submission is that the matter directly and adversely affecting a thickly populated tract has a right to claim the very best attention and interest of the Government. At the direction of the Hon'ble the Minister in charge of Local Self-Government, a note prepared by Dr. Bentley, the Director of Public Health, Bengal, was laid on the table in reply to my unstarred question No. 127 at the last January session of the Council. With all the earnestness at my command I request every member of the House to peruse that note. The facts and figures given in the note are of an appalling nature. Be it noted, Sir, they are the results of an official inquiry. And it takes one's breath away to find to quote from Dr. Bentley's note—

The aggregate deaths from cholera in towns and thanas of the Murshidabad, Nadia, Burdwan, and Hooghly districts bordering on the Bhagirathi for each month during the quinquennial period 1916-20 were in January—877; February—542; March 2,615; April 1,338; May 1,702; June—505; July—468; August—389; September 335; October 408; November—1,245; December—1,972; and the aggregates of monthly cholera deaths for five years in the municipalities of Santipur, Navadwip, Kalna, and Katwa were 42, 39, 168, 139, 34, 32, 10, 15, 3, 15, 85, and 194.

It will have been easily gathered from the above that the mortality from cholera alone reaches its zenith when the river is at its lowest level, that is in the months of March and April.

These are the outstanding facts which confront us demanding immediate redress. For humanity's sake at least, the Government can no longer afford to disregard the gravity of the case. It is high time that this silting up of the river Bhagirathi should be put a stop to, striking at the very root of the fell diseases which count for their victims thousands every year. Then, and then only, can the prevention of the diseases, especially of cholera, be an established fact.

In the last January session, the Hon'ble the Member in charge of the Department of Irrigation informed the House that the bed of the river was kept down by dredging and occasional scraping till the year 1916-17 for a length of about two miles at the entrance, and that there were no dredgers afterwards at the disposal of the Irrigation Department to re-establish dredging operations, they being taken away in connection with the war. Bandalling or partial dredging will, he was pleased to say, have to be continued to maintain some kind of a channel between the Ganges and the Bhagirathi.

My very humble submission is that, as war conditions no longer exist, the dredgers may now be made available and put in action at once, as an *ad interim* measure; for the matter cannot be treated any more in an off-hand manner. "Some kind of a channel" will never do. Neither will bandalling or partial dredging. A full flow of water is what is needed and nothing short of this can be reasonably expected to tackle the matter to any appreciable degree of success.

In this connection, I have another thing to suggest. Some of the causes of so rapid silting up of the Bagirathi are the dam at Hardwar and the excavation of mighty canals over hundreds of miles in length on both banks of the Ganges in the United Provinces. They impede the flow of water and diminish the total volume of water. While the volume of the headwaters of the Ganges are diminished in quantity, it has still to carry away the silt of the Sone, the Gandak, and other rivers of Bihar. This silt, which in former times was carried to the sea by the onrush of the current is now deposited in the bed of the river, thus raising the river level.

The United Provinces and the Bihar Governments should lend us a helping hand. Irrigation is now a provincial subject and I ask our Government to put itself in communication with these Governments for financial aid. In Europe the Rhine and the Danube are international rivers. Because their head-waters are situated in different States that does not entitle those States to put a stop to or to diminish the volume of water flowing into another State. The Germans sometime ago projected a canal connecting the Rhine with the North Sea to this the Dutch protested and they wanted a guarantee that the volume of flow of the Rhine should not be impaired and the mighty Germans of the pre-war days had to agree to this.

Or take the case of riparian owners, one up-stream, one down-stream. The up-stream owner has no right to impede the flow of water. He cannot interfere with the enjoyment of the down-stream owner.

Now, the United Provinces Government has excavated some mighty canals and they are reaping the advantages in increased water rates, increased cultivation and increased prosperity. Are they not morally, and applying the principle of international law between the different

provinces of India also legally, bound to contribute something to us? In the last Budget discussion, Sir, the Hon'ble Member told us, on the subject of cross-channel connection from the Hooghly, that over a crore of rupees had been paid for a part of the cost of dredgers last year. Some of these may be utilized here. The bereft and the destitute, the poor tax-payers to boot, are suffering and they pray to the Government to find out means to protect them. That is all they claim. I therefore beseech the Hon'ble Member to give the matter the kind attention it deserves so much, and the Council to accept my motion.

Babu SURENDRA NARAYAN SINHA: I move that this Council recommends to the Government that immediate steps be taken to secure and maintain a continuous flow of the gradually silted-up river Bhagirathi, to improve the sanitation of the places on its banks—notably in the districts of Murshidabad, Nadia, and Burdwan—and to make it navigable throughout the year.

In moving this resolution I beg to submit that my speech will be also in support of the resolutions that have been moved by my friends, Maulvi Ekramul Huq and Raja Manilall Singh Roy

Mr. PRESIDENT: Will the member speak up? I find it very hard to hear him. Will he come a little closer?

[The member moved closer to the Presidential Chair.]

Babu SURENDRA NARAYAN SINHA: I am free to confess that this resolution embodies a question not of purely local interest, as I am afraid many members may be disposed to assume, but on the contrary it involves the larger question of sanitation, trade, and affecting as many as three or four districts. It may be hoped that the river Bhagirathi, the sacred river of the Hindus and one of the mighty rivers of the Gangetic system, which flows past through the districts of Murshidabad, Nadia, Burdwan and Hooghly, is well known to each and all members of the House Since the last 30 or 40 years, the history of this historically famous river has been a tragedy, and no amount of vivacity of a comedy can paint it in rosy colours. The catastrophic change—the undreamt of deterioration of this once mighty river is simply heart-rendering to look at. This important river of Bengal of Vedic antiquity and as old as the Himalayas, has been, to the great misfortune of the people concerned, reduced to a threadlike existence of a shallow *nullah*, which in some places could easily be crossed over even by a dog in the dry season I think that this account of the present condition will be enough to give an adequate idea of the most wretched condition the river has come to, and I should not attempt at an elaborate and vivid description and waste the time of the Council. Now, the question arises as to who is responsible for the ruin of the river. There are the many causes that have worked together to bring about this catastrophic change. Ever since the signs of decay and

deterioration began to show themselves and steady fall in the level ensued every year, an outcry was raised by the public and the matter was brought home to the Government year in and year out whenever the Lieutenant-Governors and Governors came out on tour by representations and addresses presented both by the public and the public bodies such as the municipality, the district board and the Murshidabad Association. The answers given to these representations were equally stereotyped and meagre and seemed to belittle and minimise the importance of the river and set premium over the facilities of two system of railways, *viz.*, the East Indian Railway and the Eastern Bengal Railway, on both banks of the river. The Government, in its wisdom, did not take timely precautionary measures to check the rapid decay of the river, but rather allowed it to run to ruin. The Railway Company and the embankment system are also responsible for the wretched condition of the Bhagirathi. Dr. Bentley, the highest authority of the Bengal Sanitary Department, and Rai Bahadur Dr. Gopal Chandra Bhattacharji, Bacteriologist and Secretary, Central Co-operative Anti-malaria Society, have both unequivocally condemned the embankments which have destroyed the watercourses and stopped flushing and draining of the country. Some members of this House of different districts on various occasions asked questions regarding the improvement of the Bhagirathi, but the answer here given by the Hon'ble the Member in charge of the Irrigation Department to the various questions on the subject seemed to have followed the principle of opportunism and to have betrayed a characteristic knack which is possessed by Government members. These answers, however, instead of throwing light on the subject as to the intention of the Government, clouded and obscured it and the members asking those questions remained as wise as before, till 17th January, 1922, when a question on the Bhagirathi river was asked by my friend, Raja Manilall Singh Roy, who was able to elicit a definite answer to his question, and I am glad to admit that the answer gave some scope of hoping for a redress. I now pass on to the sad result which has followed the silting up of the river, and how the people have been suffering considerably from the effects. In the dry season the level of the river falls to a few inches generally and owing to insufficient current the little water in the bed becomes naturally so much stagnant and polluted that it stinks, the disagreeable smell rendering the water quite unfit for human consumption. The people who live near and around the river, having no other source of drinking water, have to depend solely and mainly on this polluted and stagnant water and, under helpless circumstances, are obliged and forced to drink such unwholesome and insanitary water rendering themselves liable and susceptible to attacks of many infectious and other diseases which carry every year a heavy toll of victims from amongst the people. The terrible figures of mortality and the appalling decline in population in Murshidabad by 128,000 in course of the last 10 years, as disclosed by

the last census report, may, I venture to think, to a large extent, be attributable to the silting up of the Bhagirathi and to the unwholesome water provided by the river. Ravages of malaria, too, is by far greater in places on and near the river than in villages a few miles away inland from the river. This condition is also supported by eminent men engaged in malarial research works who authoritatively hold that the dead river contributes to the increase of malaria, by the stagnant pools found in its bed, which become the veritable breeding-places of the anopheles and the formidable foci of malaria fever. It may be mentioned here that when the Bhagirathi was prosperous and at its best, malarial fever was almost unknown to this part of Murshidabad. But as soon as the Bhagirathi began to deteriorate and decay, malarial fever made its appearance and has come to stay till the river is restored to its former condition. Among the causes that have mainly contributed to make Murshidabad notoriously malarious in the Government list, the present condition of the Bhagirathi is one of them. Now, I wish to show briefly how the dead river has affected the economic condition of the country. When in the past the river was at its height and navigable throughout the year there could be seen below every "Ganja," town and trading place, a large fleet of country boats engaged in loading commodities and in unloading them, respectively, for outward and inward trades. Similarly, the inter-trade of the country was done by the same agency. But alas, now, owing to the deplorable condition the riverborne trade has altogether disappeared; because of the abnormal low level of the river a small green boat can hardly pass through the channel in dry season. Besides this general economic loss, the district board and municipalities owning ferry-ghats over the river have had to sustain losses in the revenue from the ferries and in consequence their income has been crippled.

The mischief done by the silting up of the river does not confine itself only to the sanitary and economic condition but also some of the rivers in the Hooghly district such as the Saraswati, Matabhanga and the Hooghly river itself have been to some extent affected, and in the case of the latter, the Hon'ble the Member in charge of the Irrigation Department has admitted in his reply to a question of my esteemed friend, Raja Maniloll Singh Roy, on the 17th January, 1922, that the Hooghly river discharge at Satgachia below the junction of the Matabhanga and Bhagirathi shows decrease since the year 1914. From this fact it is evident that sooner or later the port of Calcutta will feel the effect of the silting up of the Bhagirathi. I understand that there are two ways to improve the condition of the river Bhagirathi: one by dredging and the other by cutting open a new mouth. We want immediate steps towards this direction.

Taking all these factors into consideration I have brought the resolution before the House. It may be now expected that the members will be unanimous in accepting the resolution.

Rai MAHENDRA CHANDRA MITRA Bahadur: I move that this Council recommends to the Government that early steps be taken for the regular dredging of the Bhagirathi.

The other speakers have already brought to your notice the condition of the river Bhagirathi. There cannot be any doubt that the river is rapidly silting up and the question demands consideration What steps are to be taken for the purpose of securing a good flow of the river? I submit with humility that the dredging regular dredging—of the river may be taken up. The condition of the river shows that with the rapidity of the formation of *chars* and *charas* we find also that the rivulets, the tributaries that join the river are also in a choked condition. We notice that there are jungles over the *chars* and *charas* and sand-beds are daily increasing I bring to the notice of the Council the fact that in places above the town of Hooghly we find sand-beds which form islands and thus the flow of the water is almost nil. Over and above that if you go up to places near Murshidabad you will see that a few miles of the river are not under water during the winter and summer seasons It is high time that steps be taken to secure a good flow of water Dredging of the river is to be taken into consideration In the old Council I brought this matter to the notice of Government through the Council especially with regard to the removal of sand at a very sacred place near Nabadwip and my suggestion at the time was for the purpose of dredging the river. The cost was enormous and how far the Government was successful, I do not know. We find that steps ought to be taken in this direction by dredging it. The river is in a pitiable condition The discharge of effluents from the mills, the formation of *chars* not only affects the sanctity of the river but also does not provide pure drinking water for the people who live on the riparian portion of the municipality If I had the tongue of eloquence I would have fittingly described the present condition of the river The Hon'ble the Maharajadhiraja Bahadur knows about this and he has keen sympathy with the people Those who live within the riparian municipalities also know this But no steps have been taken as yet. The old things are continuing and the people are grumbling. Diseases of various sorts have come upon them Therefore, the first step that I propose should be to dredge the river, the second to see that there is a regular flow of water in the river, and the third step which I will bring to your notice hereafter by a regular resolution -my old complaint, namely, that the discharge of the septic tanks into the river should be put a stop to.

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): I wish you were a magician and could convert even one-fourth of the flow of eloquence that takes place in this Council into a flow of water and divert it into the river Bhagirathi and give me a flow there all the year round. It

would then save us in the Irrigation Department a good deal of thinking and a good deal of work; but such a thing cannot be. We have been requested by the different speakers to get either a constant flow in the river Bhagirathi, or to dredge the river itself. Before I make any comments as to the exact position of the river to-day, I think it is my duty to reply briefly to some of the points raised by the speakers who have moved their resolutions. Maulvi Ekramul Huq has mentioned a legend about the Bhagirathi—the bottom of the Bhagirathi having been laid with sheets of steel. I believe the legend is that it was laid with sheets of copper. Probably another gentleman hereafter will go further and say that the legend is that it was laid with sheets of silver, and that the British Government took all the silver away and laid sand in its stead. But, whatever may be the legend, we have got to face the facts as we find them to be. Raja Manilall Singh Roy has undoubtedly given us some appalling figures regarding the mortality from cholera, figures which cannot be questioned, and figures which certainly make most of us shudder. He has gone into the question of asking other provincial Governments to assist us in our task of dredging the Bhagirathi. I do not think that any of the provincial Governments are likely to look at this question from our point of view. In the first place, they would rightly say that this was a matter entirely for the provincial Government concerned, and not for them. Secondly, since we have a flow in the main Ganges or the Padma all the year round, the question of canals at Hardwar or the many canals in the United Provinces will not solve our problem for the simple reason that the Bhagirathi, for all practical purposes, is at the present moment not an original river but a spill channel. So much for the criticisms.

Then, my esteemed and venerable friend of Hooghly has suggested the dredging of the river. If dredging had been possible and if dredging was a satisfactory solution, no doubt it would have been one of the ways to go about the thing; but I should mention now as to why dredging is not possible. In the first place, those that are acquainted with the locality will realize that for many years from a place called Faracca, the channel, which is now called the Bhagirathi, diverted from the main stream known as the Ganges or Padma. Recently within the last few years, I believe, the Ganges has swallowed up all that portion of the Faracca channel which started from Faracca, and the mouth of the Bhagirathi is now at a place called Dhulian. I admit that when I visited this point the other day, it was undoubtedly a strange sight to a Hindu to find at the mouth of the Bhagirathi at this time of the year, a man being able to walk across with only about two feet of water at the most. But I can assure my friend, the Kumar Sahib, who whatever else he may or may not be, is a Hindu among Hindus, that there was at the time of my visit a slight ripple, and therefore the sanctity of the Bhagirathi has been up to now secured and saved. In a matter of this kind, a layman—as the Kumar Sahib very kindly complimented me yesterday

by calling me a layman—has got to be guided by the expert who is now sitting in front of me, and whatever the Irrigation Department has got to say on the point, the Government as a whole must accept it. The Irrigation Department has been considering this question for a number of years, and the only possible solution at the present moment at any rate is to maintain in the Bhagirathi a gentle flow and a sufficient quantity of water in it in the dry season for drinking and sanitary purposes from Calcutta to the present mouth at Dhulian; and this can only be done by judicious bandalling every year at an average annual cost of twenty to thirty thousands of rupees, and, perhaps, we will be able to remove some of the obstructions such as shoals, by minor dredging. The question of a short circuit cut a little way above Bishwanathpur will also be examined, if it is thought that that would at all likely help towards a solution.

Going into the question—the larger question—of keeping the Bhagirathi open to navigation all the year round, it does not seem to be within the bounds of possibility at the present moment. In the first place, the cost would be almost prohibitive, being something like a crore of rupees for dredging expenses alone. If we are to calculate the cost of the working expenses of a dredger at Rs 7,00,000 a year, which is the average working expense of a dredger for 12 months, it would take one dredger 14 years to complete the dredging or 14 dredgers working at the same time to complete it If the Council insisted—and certainly that would be more satisfactory—that 14 dredgers should be chartered at once for the purpose and dredging completed within a short time, I would presently show what it would mean in terms of money. At the present moment, we have got only 3 dredgers suitable for the purpose, and we should have to purchase 11 more every dredger costing Rs. 60,00,000. Therefore, I say that it is not a practical proposition.

There is another thing to be said, namely, that if we were to divert all the water from the Ganges or the Padma into the channel at Dhulian, which would be one of the results of dredging, we might dry up the Padma itself, and all the routes down to Dacca and all the river routes below Murshidabad would probably become non-existent. I am sure that is a state of affairs which none of us wish to contemplate. For these reasons, as I have already mentioned, the only possibility of keeping just a gentle flow in the river all the year round is by judicious bandalling. I know there is a great deal of feeling on this question, and for that reason, if it would be acceptable to the House, I would be willing, on behalf of Government, to accept the resolution of Raja Manilall Singh Roy in the following form:—

"This Council recommends to the Government that steps be taken to ensure as great a flow of water as possible down the Bhagirathi all through the year."

Beyond that I cannot accept for the simple reason that I could not possibly promise things that we, in the Irrigation Department, would be unable to carry out. That is all I have to say, and I trust that in view of what I have said and in view of the modified resolution which I have proposed, the members who have moved their resolutions will withdraw them in favour of the modified one.

Babu KISHORI MOHAN CHAUDHURI: I think that the resolution in the amended form should be accepted, and therefore I need not take any time of the Council.

Maulvi EKRAMUL HUQ: So long as this method was tried, it was found wanting, and although I feel inclined to say that it would be no use having such a thing as bandalling, yet as the Hon'ble Member has assured us that he would be able to secure sufficient flow so as not to be an impediment towards the better sanitation of the district, I beg leave to withdraw my resolution in favour of the amended one.

The motion was then, by leave of the Council, withdrawn.

Raja MANILOLL SINGH ROY: I accept the modification of the resolution, as suggested by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, knowing fully well that an attempt will be made to improve matters to the fullest.

The resolution of Raja Maniloll Singh Roy, as amended by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, was then put and agreed to.

The resolution of Babu Surendra Narayan Sinha was then, by leave of the Council, withdrawn.

[The Council then adjourned for 15 minutes.]

After the adjournment.

Babu SURENDRA NARAYAN SINHA: I move that this Council recommends to the Government that the sluice-gate that existed before at Kalukhali, but was closed years ago, be reopened, or in the alternative that a new sluice-gate, at a suitable place near by, be constructed to let out the flood water of the Bhagirathi.

Since the abandonment of the Lalitakuri embankment, the most notorious embankment—

Mr. PRESIDENT: I cannot hear you. Are you making the same speech which you made before the adjournment, or a different speech?

Babu SURENDRA NARAYAN SINHA: It is another speech.

The Government found it expedient to provide protection against flood by means of another set of ring bund, a drainage-cut and a sluice-gate at Kalukhali, which was constructed a few miles to the south and

east of the main Lalitakuri embankment. By this set of newly constructed bunds a group of villages numbering over one hundred have been excluded and exposed to the onrush of the flood-water of the Bhagirathi and it was this flood-water to let out which the sluice-gate at Kalukhali was built. From the past history of the Lalitakuri embankment it is evidently clear that before the sluice-gate was built at Kalukhali, whenever there were breaches in the said embankment, defying everything that human agency could do to protect it, large tracts of land used to be inundated by the flood-water and the country derived immense benefits and advantages. Whenever these floods occurred, they would invariably distribute the silt-laden water all over the lands, thereby enriching and improving their fertility and tending to produce abundant harvests. They would fill the existing bhils, tanks, and other watercourses and at the same time distribute fry and spawn to them, thus increasing their stock of fish and enhancing the value of the fisheries, and last though not least, what these floods did in the past was to flush and purge the country of impurities and the germs of diseases, thus making the country perfectly immune, and in the result the people enjoyed good health in the year of the flood, in particular, and in the years following. In those days of flood, Sir, the scourge of malaria was practically unknown to the country and contentment reigned in health and plenty. Subsequent to the construction of the new set of bunds and of the sluice-gate at Kalukhali, the flood-water was regulated and was let out by this gate by which the process of bonification was also carried out, though in a restricted measure and the country did get benefits and advantages to an appreciable extent. Thus the service of this sluice-gate was not altogether negligible. People appreciated the services of the sluice-gate as most valuable in many ways. Subsequently the sluice-gate was overthrown by floods and the weighty influence of the railway authorities was brought to bear upon Government, who were induced to close down the sluice-gate immediately. Thus the people were deprived of the valuable services of the sluice-gate at Kalukhali to the great detriment of the interests and benefits of the people and of the country, and the enormous amount of public revenue laid out as cost for the construction of the drainage-cut and the sluice-gate itself went for nothing and the utility and usefulness of the latter were wasted. In these days, Sir, when the theory of bonification has prove to be the sure means of driving out malaria, and when the operation of bonification has been taken up in selected areas, it may be hoped that if the Kalukhali sluice-gate be reopened and reinstated in its former place, or in the alternative, at a place near by, where expert opinion will direct bonification will be well served by it rendering the country immune from scourge of malaria and generally improving the sanitary condition of the people. Moreover, this sluice-gate, if reopened, will bring manifold advantages and benefits to the country, *inter alia*, by enriching the soil, by bringing in abundant harvests, and

by feeding tanks, bhils, and other watercourses, minimising the acuteness of the drinking water problem, and at the same time increasing the supply of fish helping them to improve their breed and culture, and also help the Bhagirathi partly from its being silted up. In this connection I also beg to submit that a largely signed representation by the local people has been sent to Government for consideration. With these words, Sir, I beg to commend my resolution to the acceptance of the House.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I am sorry that the mover of this resolution, in spite of the fact that Mr. Huntingford tried to explain to him the position of what used to be the sluice-gate at Kalukhali, wishes that to be reopened, or, in the alternative, that a new sluice-gate be constructed at a suitable place near by.

So far as the reopening of the sluice-gate at Kalukhali is concerned, I may enlighten this House that there has been no sluice-gate there since the 31st August, 1906, and a thing that does not exist cannot be reopened. The question of a new sluice-gate near by is on a different footing, no doubt, but this again cannot be done at the present moment until the whole problem of improving the conditions of the thanas of Lalgola and Bhagwangola in Murshidabad is gone into. This is being examined at the present moment. Until the inquiry is complete, the tract of land which is now allowed to be cultivated for *aman* rice across which cross-bunds are put up by different zamindars in the three khals called the Lalitakuri Channel, the Gobra Nullah and the 53rd Mile of the abandoned Bhagirathi embankment may be allowed to continue. In this connection I should like to point out that this is not a matter entirely for the Irrigation Department to go into. The right course is to open up the Gobra Nullah and to bring the whole area under *aman*. This will be a very suitable scheme no doubt, and could be brought under the Bengal Agricultural and Sanitary Improvement Act, 1920. But for the present the existing methods must be allowed to continue and also there is this to be considered that as the whole tract is in the hands of zamindars, we could not work the scheme unless we took action under this Act, which will have to be gone into by the Local Self-Government Department when the scheme is complete and we have advised them as to the practical nature of the scheme as put forward. I do not think, therefore, that it is a practical suggestion to ask the Government at the present moment either to open a new sluice-gate or to go into the question of any sluice-gate until the question has been threshed out. For these reasons I am unable to accept the resolution of Babu Surendra Narayan Sinha.

The motion was then, by leave of the Council, withdrawn.

Medical relief in rural areas.

Babu TANKANATH CHAUDHURI: I rise with some diffidence to move this resolution which stands in my name. The resolution runs thus:—

"This Council recommends to the Government that, in the Budget Estimate for the year 1923-24, a sum of Rs. 5,00,000 (five lakhs) be provided for giving medical relief in the rural areas by the establishment of thana dispensaries and village dispensaries."

This Council passed a resolution, moved by my friend, Rai Jogendra Chunder Ghose Bahadur, that in every thana a dispensary should be established. In the July session of the Council this year, the Government wanted a grant of Rs. 50,000 for opening up thana dispensaries and another grant of Rs. 1,00,000 for opening up village dispensaries. The Council readily accorded its consent to the expenditure of the amount of Rs. 1,50,000. The Government in its circular letter to the district boards informed them that Government might grant annually Rs. 250 for each village dispensary and Rs. 500 for each thana dispensary. Thus the Government contemplated that the district boards should join hands with the Government and open up 400 more village dispensaries and 100 more thana dispensaries; that is to say, the Government wished that 500 more dispensaries should be opened up in the course of the current year throughout Bengal. There are 688 thanas in Bengal and 796 dispensaries. The Government thought that some 500 more dispensaries would go some way to relieve the distress in the mufassal. The estimate was an under-estimate no doubt. Moreover, the sum which the Government proposed to allot for each dispensary was considered by many of the district boards to be too inadequate to make them accept the offer. So, Sir, I sent in a notice for the allotment of Rs. 5,00,000 in the next year's Budget. I would point out to the House that there are 46 millions of people in the rural area of Bengal. I want a sum of Rs. 5,00,000 for giving medical relief to these 46 millions of people—I want Re. 1 for 100 people. Perhaps I am not demanding too much from the House. It might be urged on the part of Government that the financial condition of Government is not very sound now. There are large deficits, and the Government must try to curtail expenditure under various heads. I would like to point out one thing. If there is illness in your family, would you go first to your banker in order to ascertain what your accounts are, or would you forthwith send for a doctor? The people of Bengal are dying in large numbers—the death-rate is far higher than the birth-rate. In the estimate of one of your Assistant Directors of Public Health, if the death-rate continues to go on at this rate for another century, there will not be a single Bengali living here. Can you contemplate upon this picture without a shudder? Now, Sir, a question may be asked—Is the Government responsible for medical relief in the rural areas which the

local bodies are to look after? Sir, the other day, only the day before yesterday, we heard the Hon'ble the Maharajadhiraja Bahadur of Burdwan say that it is the prime duty of Government to save life where life can be saved. It is a clear case. People are dying away. Is the Government prepared to save life or not? It is no question whether money is available or not. The people cannot afford to pay any new taxation now—they are already paying much. Bengal is paying more than Rs. 30 crores—that is, nearly Rs. 6 per head, and it is no fault of the people living in the mufassal that the powers that were, allowed the Meston Committee to snatch away more than Rs. 20½ crores and give that sum to the Central Government. This financial crisis is not the creation of the people of Bengal, and they should not be put to such difficulties because somebody in power erred. I do not mean to say that this sum of Rs. 5,00,000 will be quite adequate for giving medical relief to the whole of Bengal, but it would go a great way in alleviating the distress that exists. I do not propose that district boards or local bodies should be asked to spend this sum in a particular way. The whole amount may be distributed and placed in the hands of the district boards and they be asked to utilise this amount in establishing and maintaining dispensaries at those places which are urgently in need of them.

Before I conclude, Sir, I would point out one thing to the House. People are paying taxes at the rate of Rs. 6 per head and I want about 2 pies per head for medical relief. Is the demand too exorbitant?

With these few words, I beg to commend my resolution to the acceptance of the House.

SHAH SYED EMDADUL HAQ moved the following by way of amendment, that in the resolution of Babu Tankanath Chaudhuri the following amendments be made:—

(*i*) after the words and figures "Rs. 5,00,000 (five lakhs)" the words "or any reasonable sum" be inserted; and

(*ii*) the words "and that a sufficient portion of that money be allotted to village dispensaries" be added at the end.

He delivered a speech in Bengali in support of his motion, the translation of which is as follows:—

I hail from the mufassal. The fact that village sanitation has become very bad cannot be disputed. The last census report shows that in some districts the population has increased, whereas in others it has materially decreased. But since the last census was taken, malaria has assumed such a virulent proportion, that if it is allowed to rage for some time, the whole country will be made desolate.

In my own district of Tippera, malaria has extended its tentacles in almost every house, and so far as I can make out, the root-cause of this disease is nothing but want of nourishment and medical relief.

The other day a grant was made for the coal charges of the Civil Surgeon of Barisal, but at the present moment when the life of the nation is at stake, Government inform us that they have no money. Sir, there is a Hindu proverb: *Shartramadyam khalu dharma sadhanam*, that is, the preservation of health is the culture of religion. If the health of the people is neglected or lost sight of, the whole country will be nothing but a *smashan*—a cremation ground. It will be a matter of profound regret if the Government take up the pretext that they have no funds at their disposal. Five lakhs of rupees for which the mover of the original resolution has advocated is, to my mind, barely sufficient for giving medical relief in the rural areas. Government have already promised to grant a substantial sum for this purpose, and several representations have been made from various quarters to Government for the establishment of thana and village dispensaries. If the sum which the Government promised in the past is not now forthcoming, nothing reflects more discredit than this on their part. I would, therefore, ask, with all the earnestness I can command, that the Government should come forward with a liberal grant for the cause of saving the lives of the innumerable poor.

Sir, it appears to me that the village dispensaries need the major portion of the grant than the thana dispensaries. The village roads are sometimes impassable, and the villagers have to face a lot of difficulties to get hold of medical men from thanas where they are available. Medicine, too, is not procurable in villages.

Dr. JATINDRA NATH MOITRA: I have great pleasure in supporting the resolution moved by Babu Tankanath Chaudhuri. So far as I have been informed, there are about 137 thanas which have got no dispensaries now. Taking the population of Bengal at 50,000 per thana, the figure will be about a crore for this entire area. In other words, a crore of people live in Bengal without any facility for getting gratuitous medical relief. You can well appreciate the difficulties of the people living in these localities in getting medical relief, and unless some village dispensaries are created, it would not be possible for the poor people to travel some miles to get medical relief and medical treatment.

Considering all these points it seems that the sum of Rs. 5,00,000 is not enough. In fact in one of our former sessions of the Council we unanimously voted the sum Rs. 1,50,000 for creating thana dispensaries but I am grieved to learn from a very reliable authority that the sum which was allotted in this way is going to lapse. I shall be very glad to learn if this information is correct; and, if so, whether any definite scheme was prepared by the Government in the Department of Public Health, what thanas were selected for receiving the grant, as also what replies the Government received from the local bodies either for or against the scheme. It is a known fact that our association with this

Council has not yet made the lot of the people of Bengal happier. On the other hand, taxations have become the order of the day, and the time is not far distant, if my information is correct, that the unfortunate people of Bengal will again be asked to pay a further big sum in taxation. So, it is only fair and just that the people who have been repeatedly taxed in various ways should at least have something to be grateful for to the Government, and the Government can also show their solicitude for the suffering poor who live in the mufassal and so earn the gratitude of the people by giving effect to this very eminently desirable resolution.

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): I can assure the members of the House that the Local Self-Government Department welcomes their co-operation in supporting the schemes with which we are concerned. I may assure them that the project, which Babu Tankanath Chaudhuri's resolution intends to launch, is one which has received the most careful consideration of the Hon'ble Minister. I am commissioned, on his behalf, to state that there is no scheme the abandonment of which, owing to the financial position or the partial abandonment of which, he regards with greater disappointment—and I may say even with dismay, than the scheme which is now being discussed. It will be remembered by the members of this Council that Rai Jogendra Chunder Ghose Bahadur some time ago proposed that a system of medical relief should be instituted by the establishment of a dispensary in at least each thana. Government took up the idea and we grafted on to it certain ideas which Mr. Birley had suggested and the result was—what I may claim to be—a well thought-out scheme which came before this Council in July last. We proposed that the sum of Rs. 1½ lakhs should be devoted annually towards the extension of medical relief in the rural areas. We asked this Council to commit itself to this provision for three years, so far as it is able morally to bind its successors, in the idea that it was unfair to ask local bodies to undertake schemes with recurring expenditure in which we were prepared to assist merely for one year and the Legislative Council—as has been repeatedly stated—accepted the scheme; and we were given Rs. 1½ lakhs on the understanding that the provision would be renewed in the next two succeeding budgets. The financial position has changed since then and we are in the very difficult position of having to curtail our programme. It has been asked by Dr. Moitra whether this Department has taken any steps to formulate a scheme and to select thanas for the location of these dispensaries. I would like to reply to that by saying that we formulated a most exact and carefully thought-out scheme, which we sent to the district boards for their approval, and we informed them that if they were prepared to establish new dispensaries in thanas, we would give them a recurring subsidy of Rs. 500

for each such dispensary and a sum of Rs. 250 for each village dispensary. The result was to a certain extent disappointing—I say so in no censorious spirit, because one realizes that the district boards, with their attenuated resources, shrink from placing any new burdens on their revenues. Nevertheless, certain of the district boards, among which I might particularly refer to is the mover's own district of Dinajpur, took up the proposal with some enthusiasm and submitted a carefully designed proposal to Government to enable them to qualify for the subsidy which we promised. Dr. Moitra has stated that he understands that even this sum of Rs. 1½ lakhs which had been provided in the supplementary estimates is about to lapse. This needs some explanation. It is true that we are required by the Finance Department to surrender the greater portion of that sum. The view taken by the Finance Department in view of the financial position—in regard to the supplementary estimates—is that where Government is definitely pledged to any expenditure or where it is obligatory, the money has somehow to be found in order to carry through the scheme concerned. To a certain extent that applied to the present scheme We have received certain proposals from district boards, and one district board has, actually in anticipation of sanction, proceeded to construct at least one dispensary on the understanding that it will receive the subsidy from Government We propose to honour the promise we made in such cases and where definite schemes have already been submitted by other boards, I hope the Finance Department will be able to agree to the reservation of a certain amount from this sum of Rs. 1½ lakhs in order to enable us to discharge the promise the fulfilment of which has been claimed by these district boards, and the provision that is required for schemes of this kind will be naturally continued for the next two years. Beyond that I am not authorised to commit Government; we have had, unfortunately, to scrap a great many schemes which we had formulated with some confidence, but after all it is impossible to extract the money from the coffers of Government when they are becoming so perilously empty. If that is so, in regard to the Rs. 1½ lakhs which has already been discussed in July last, I will ask this Council to consider how it is possible for Government to undertake to provide an additional Rs. 5,00,000 in the Budget of the next few years. We have not the money to make so large a provision and it will be useless for me to agree to this resolution even in a somewhat modified form.

The Shah Sahib has suggested that the main resolution should be amended by addition of the words "any reasonable figure" and it might be suggested that Government might accept so innocuous a proposal as that, since it leaves Government absolutely a free hand. I would prefer not even to go that far, since in accepting such a proposal, we would have the knowledge that we shall not be able to provide more than a very comparatively paltry sum—I think perhaps Rs. 15,000 in the Budget for the coming year, for carrying through the

scheme. As I have said, we regard the abandonment of this proposal with dismay; and I think Babu Tankanath Chaudhuri, with whom I have frequently discussed this proposal, will admit that Government fully recognise the need for medical relief in rural areas. As I said, we took up this scheme with enthusiasm when the idea was handed to us by Rai Jogendra Chunder Ghose Bahadur; and we have since worked it out in considerable detail. We recognise that medical research every day opens up a new vista of usefulness to the doctor; but, unfortunately, we are not able to apply these scientific discoveries as yet to mitigate the appalling suffering which still prevails in the mufassal. I can assure the mover that Sir Surendra Nath Banerjea has the fullest sympathy with this proposal and as soon as this Government is provided with more funds—and we all hope the Retrenchment Committee will help in this—I can assure him that the Local Self-Government Department will place this proposal in the forefront of their programme; and I trust that with this assurance he may be prepared to withdraw his resolution.

Maulvi SHAH ABDUR RAUF: After what has been said by Mr. Goode, Secretary in the Local Self-Government Department, with regard to this resolution, I have practically speaking no mind to speak as Government admit the utility and the necessity of the establishment of thana dispensaries. It is a known fact to everybody in this Council, who has any experience of the mufassal that dispensaries are of the utmost importance for the vilagers. So I do not like to dilate on the point as to the necessity for dispensaries. I understand that Government are not prepared to accept this resolution on the ground that it has not got sufficient money to meet the demand. Still I submit that the necessity is very great and anyhow provision ought to be made in the Budget for the establishment of thana dispensaries. With these few words, I support the resolution of Babu Tankanath Chaudhuri.

Khan Bahadur Maulvi EMADUDDIN AHMED: In case of some of the district boards the position is this. As my friend, Babu Tankanath Chaudhuri, has said, a circular letter was issued, asking whether district boards are willing to have dispensaries in thana areas. As far as I know, some of the district boards, in anticipation of some grant from Government, have taken up the question of constructing dispensaries, as they were quite sure that they would receive certain grants from Government. If, however, at this stage they are deprived of this grant they will indeed be in a sorry plight. So far as my district board of Rajshahi is concerned, some time ago in the year 1918 - if I remember aright—we drew up a programme of opening dispensaries within a radius of five miles each and we have been following up the programme. On this basis, about 100 dispensaries were necessary and we have practically opened 40 and 60 still remain to be opened. At this time the

circular letter from Government was received. We have made provision for the opening of 20 more dispensaries in the next year expecting that half the balance will come from Government and the other half would be borne by the district board. This is a most important need of the district. My friend, the mover, has drawn out a picture of the appalling death-rate. I know that there are several projects of the Health Department which for want of funds cannot be taken up. There is also the problem of opening out silted canals, and the cutting of jungles which for want of financial aid we cannot take up. In this matter of dispensaries some of the district boards have been looking forward to the Government grant and if they are now told that there will be no grant whatsoever it will indeed be a sure disappointment for them and I do not know what they will do. In this connection, I may, with your permission, tell a story. We have been introducing the imposition of an anna rate for one bottle of medicine, because we have found that the expenditure on medicine is going much higher on account of rise in prices. In certain cases where there are no dispensaries, people have voluntarily come forward to pay the rate, provided a dispensary is established, saying that they have been paying the cess for the last 50 years still they have not seen a single doctor. (Hear, hear.) I know that our Hon'ble the Minister has every sympathy with us. I would ask that some expenditure of the Health Department in other directions might be curtailed. We do not want so many Assistant Directors going about the country and telling people about elaborate schemes. What is the good of all that if you cannot give us money? I should ask Government to curtail expenditure somewhere in order to give us some money for saving the people from sheer death.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I know that Mr. Goode and His Excellency's Government are deeply interested in this question, and—[A VOICE: What about the Minister?]—they will do all that lies in their power to help the poor people of Bengal. But I must say here that the grant of Rs. 250 for a village dispensary and Rs. 500 for a thana dispensary to the district boards is grossly inadequate. I am sure Mr. Goode will do his best to increase this amount; but to say now that the sum of Rs. 1,50,000 was not spent by the demand of the district boards, because they did not agree to the proposals is, I think, very unreasonable. The department may think it to be a reasonable grant, but the district boards in their poverty refused it, not all, but some of them, and therefore, the money has not been spent. That being so, I do hope that the department may increase the grant and spend the whole amount of Rs. 1,50,000. Mr. Goode has told us that he will place the proposal of Rs. 50,00,000 in the very forefront of the programmes for the next year. If he had said only that much, I would have requested Babu Tankanath Chaudhuri to withdraw his proposal; but in the same breath he said: "I cannot give you more than Rs. 15,000 for the next Budget." That is a position which, I

hope, this Council will not accept and I am sure Mr. Goode himself is very sorry that he has to make that statement, but I do hope that he will not stick to it and he will do his very best to give Rs. 1,50,000 for three years which he promised and which we passed. If he says that much, I will make every attempt to induce Babu Tankanath Chaudhuri to withdraw his proposal.

Babu TANKANATH CHAUDHURI: Mr. Goode has urged upon the Council the necessity of curtailment in the expenditure of the several departments of the Government. If the pruning knife is to be applied, it is certainly not to be applied in the case where people are dying. This pruning knife would only help the people of Bengal to die rather faster. Mr. Goode has said that many of the district boards have not come forward to accept the offer so kindly made by him some time back. As I said before, the offer was rather too inadequate. The district boards have been doing all that they can do and in order to accept the offer made by the Government the district boards would have had to curtail expenditure on other departments which they could not afford to do. That is the reason why most of the district boards did not come forward and accept the offer made to them. It is in the fitness of things that Mr. Goode should be commissioned by the Hon'ble the Minister to say that he had every sympathy for this resolution. I have one appeal to make to the seven Hon'ble the Members and Ministers of the Council. If they act in harmony they would be able to find out money in order to drive away—at least in order to mitigate the sufferings of the people. If Government have to depend upon the revenues derived from the people there must be people living in the country before the Minister for Agriculture can advise people on the method of cultivating the soil, before the Minister for Education can find people for educating, before the Minister for Public Health can find people for ministering to their health, before the Revenue Member can find people from whom to collect his revenues, before the Judicial Member can find people to try them, and before the Member in charge of Jails can find people for sending them to jail, and before the Finance Member can find money to make both ends meet. The prime duty of Government is to see that people should be living in the country. I appeal to the Hon'ble the Members and Ministers in order they might all join hands to find out this paltry sum of Rs. 5,00,000, which would be only eight annas or ·5 per cent. of the total income of the Government of Bengal, to relieve the distress of the people. If the House thinks—and I hope the House has a right to think—that they would try their best to join hands in finding out this sum, I feel it would be wise on my part to withdraw the resolutoion for the present.

The motion was, by leave of the Council, withdrawn.

After the Hon'ble the President's announcement, Rai Jogendra Chunder Ghose Bahadur objected to the resolution being withdrawn.

Mr. PRESIDENT: I am afraid the Rai Bahadur cannot object now. I asked distinctly whether any member had objection to leave being given to Babu Tankanath Chaudhuri to withdraw the resolution. No one raised any objection and the matter cannot now be reopened.

SHAH SYED EMDADUL HAQ delivered his speech in Bengali, the translation of which is as follows:—

Although the mover of resolution No. 26 has withdrawn his resolution, I am not going to do so. The sum of Rs. 15,000 is nothing to the mighty Government. I am, however, willing to abide by the wishes of the Government if a "reasonable sum" is allotted for this purpose. I agree to what the Secretary has verbally informed me.

Mr. S. W. GOODE: If the Shah Sahib would be willing to leave out the words "five lakhs or any reasonable sum" in his amendment and say "such maximum amount as Government might be able to provide for this purpose," we would accept it

Dr. JATINDRA NATH MOITRA: Can Mr. Goode give us any undertaking?

Mr. S. W. GOODE: I am afraid, Sir, it is impossible to give any undertaking to the members of this House. As I have stated several times before, there is no scheme on which we set greater store than this, and it is a very great disappointment that we have been compelled to curtail it; but Government is one and it is useless for the Local Self-Government Department to attempt to adopt a different attitude from that which I am sure the Finance Department must adopt at a later stage. If the mover of the amendment is prepared to leave it to this department to do its best to obtain such sum as the Finance Department will permit, we might accept it.

Mr. PRESIDENT: Do I understand Mr. Goode to say "such maximum amount as the Government might be able to allot for the purpose"?

Dr. JATINDRA NATH MOITRA: The amendment says "any reasonable sum." What difference does it make to what Mr. Goode wants us to accept?

Mr. S. W. GOODE: The word "reasonable" as interpreted by the mover is probably different from the meaning the Finance Department would put upon it. I would desire to safeguard myself. I want to be honest with the House.

Mr. PRESIDENT: There is something more definite about Mr. Goode's form of words than that proposed, which might be subject of very considerable controversy as to what was "reasonable."

The following amended resolution was then put and agreed to:—

"This Council recommends to the Government that in the Budget Estimate for the year 1923-24 such maximum sum as the Government

might be able to allot be provided for giving medical relief in the rural areas by the establishment of thana dispensaries and village dispensaries and that a sufficient portion of that money be allotted to village dispensaries."

Mr. PRESIDENT: As the next four resolutions are closely connected, I call on Babu Hem Chanda Bhattacharji to move the first one standing in his name.

Withdrawal of resolutions.

The following resolutions were, by leave of the Council, withdrawn:—

Babu HEM CHANDRA BHATTACHARJI: "This Council recommends to the Government—

(1) that the pay and prospects of the typists and copyists attached to the civil, criminal and revenue courts in Bengal be fixed according to the scales given below:—

(*a*) in the case of typists beginning with the minimum of Rs. 65 and rising by annual increments of Rs. 3 to Rs. 125 in 20 years with an efficiency bar at Rs. 95 and a selection grade of 5 per cent. of the cadre at Rs. 150;

(*b*) in the case of copyists beginning with a minimum of Rs. 40 and rising by an annual increment of Rs. 2 to Rs. 80 in 20 years with an efficiency bar at Rs. 60 and a selection grade of 5 per cent. of the cadre at Rs. 100;

or

(2) that the services of the typists and copyists attached to the civil, criminal and revenue courts in Bengal be absorbed in the ministerial establishment and their pay and prospects be fixed accordingly."

SHAH SYED EMDADUL HAQ: "This Council recommends to the Government that the pay and prospects of the typists and copyists attached to the civil, criminal and revenue courts in Bengal be fixed according to the scales given below:—

(*a*) in the case of typists beginning with a minimum of Rs. 65 and rising by an annual increment of Rs. 3 to Rs. 125 in 20 years with an efficiency bar at Rs. 95, and a selection grade of 5 per cent. of the cadre at Rs. 150; and

(*b*) in the case of copyists beginning with a minimum of Rs. 40 and rising by an annual increment of Rs. 2 to Rs. 80 in 20

years with an efficiency bar at Rs. 60 and a selection grade of 5 per cent. of the cadre at Rs. 100."

The following resolution standing in the name of Munshi Jafar Ahmed was, in the absence of the member, deemed to be withdrawn:—

"The Council recommends to the Government that the services of the typists and copyists attached to the civil, criminal and revenue courts in Bengal be absorbed in the ministerial establishment and their pay and prospects fixed accordingly."

Typists and copyists of civil, criminal and revenue courts.

SHAH SYED EMDADUL HAQ moved that this Council recommends to the Government that some sort of immediate relief or allowance be given to the copyists and typists of the civil, criminal and revenue courts of Bengal till their case is finally decided with reference to the resolution carried in this Council regarding them.

He spoke in Bengali in support of his motion. The translation of his speech is as follows:—

A resolution was moved in this behalf on the 31st August, 1921, by Khan Bahadur Maulvi Wasimuddin Ahmed, and not less than 10 members of this House spoke on that occasion. The speeches have been printed in Volume IV of the Bengal Legislative Council Proceedings. It is therefore unnecessary for me to go over the same ground again.

At the present moment the ministerial officers enjoy a certain amount of privileges, *e.g.*, fixed salaries, leave, pension, etc. The high cost of living has increased their pay, and they have, therefore, given a benediction to the Government, as in duty bound. The poor typists, on the other hand, who have no *ma bap* and who have to work equally hard, have not been conceded any of the concessions the ministerial officers are now entitled to. With changed circumstances consequent on the Great European War, it is well nigh impossible for them to eke out a decent source of subsistence unless and until the Government lend a helping hand to them. I have asked questions in this Council in this regard on many occasions, and from the replies I have received it is seemingly apparent that the Government look upon the typists with a kindly eye. I hope the Government will not pooh-pooh my proposals this time. I do not think that the Hon'ble the Member in charge will say that the purse of the Government is very tight now, and having regard to their financial situation, it is not possible for them to do anything for the typists. Be that as it may, as a faithful servant of my country, I think it is my duty to fight for the typists and whether anything is feasible to do in this direction is a matter entirely within the discretion of the Hon'ble the Member. If nothing

remains to be done, there is no other alternative left for me but to recall to memory the saying of the Persian poet—

Gufta gufta man shuda bisyargoo

Az shuma ek tan nashad israr goo,

which means—" I have become sick of speaking, but all of you have turned a deaf ear."

Mr. PRESIDENT: I think that it will be for the convenience of the House if the further consideration of this question stands over till to-morrow.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 23rd November, 1922, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 23rd November, 1922, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, two Hon'ble Ministers (the Hon'ble the Nawab Sayyid Nawab Ali Chaudhuri, Khan Bahadur, being absent) and 94 nominated and elected members.

Starred Questions

(to which oral answers were given).

North Bengal flood.

***XXXIX. Mr. SYED ERFAN ALI:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether in the light of subsequent experience it is in the contemplation of the Government to modify in any essential particulars the *communiqué* issued by the Government on the 11th October last in respect of the floods that took place in the districts of Rajshahi, Bogra and Pabna in September last?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing—

(*i*) the areas affected by the flood in Rajshahi, Bogra and Pabna;

(*ii*) the population within the aforesaid areas;

(*iii*) the number of huts damaged or destroyed within the aforesaid areas;

(*iv*) the head of cattle which perished in the aforesaid areas; and

(*v*) the quantity of crops which were destroyed within the aforesaid areas?

(*c*) Will the Hon'ble the Member be also pleased to lay on the table a statement showing the value of—

(*i*) the crops;

(*ii*) the number of cattle;

(*iii*) the number of huts; and

(*iv*) the stores of grain and other things destroyed or damaged by the recent flood in each of the districts of Rajshahi, Bogra and Pabna?

(*d*) Will the Hon'ble the Member be pleased to state whether there were any deaths due to the flood in those districts? If so, what is their number?

(*e*) Will the Hon'ble the Member be pleased to state—

(*i*) whether the water has completely subsided from the flooded areas;

(*ii*) how many days did it take the water to subside; and

(*iii*) the reasons for the slow subsidence of the water?

(*f*) Will the Hon'ble the Member be pleased to state whether there are any records of floods in those districts previous to 1918?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble the Member be pleased to state in respect of such floods—

(*i*) how many days the water took to subside; and

(*ii*) the extent of the damage caused thereby?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) The member is referred to the *communiqué* of the 9th November, 1922, which supplemented the *communiqué* of the 11th October last and contained the latest information about the extent of damage done and the relief measures adopted.

(*b*) (*i*) The areas affected were—

Rajshahi - 1,200 square miles.

Bogra—405 square miles.

Pabna—200 square miles.

(*ii*) Population affected was—

Rajshahi—741,437.

Bogra—249,560.

Pabna—70,000.

(*iii*) The number of houses or huts destroyed was—

Rajshahi—79,440.

Bogra—83,686.

Pabna—700.

(*iv*) and (*v*) The member is referred to the *communiqué* of the 9th November, 1922.

(*c*) The information is not available.

(*d*) The member is referred to the *communiqué* of the 9th November, 1922.

(*e*) (*i*) Yes.

(*ii*) It took 4 to 16 days in Rajshahi, 7 to 15 days in Bogra and 18 days in Pabna to subside completely.

(*iii*) The slow subsidence is mainly due to (1) the great mass of water involved, (2) high water-level of the Brahmaputra and Padma, and (3) the natural gentle slope of the country. The railway embankments and district board roads might also have obstructed to some extent the more rapid drainage of the water, but that is a matter to be investigated by the Committee of Experts to be appointed.

(*f*) Prior to 1918 severe floods also occurred in the following years:—

(*1*) Rajshahi district: Years of occurrence—1838, 1865; 1871.

(*2*) Bogra district: Years of occurrence—1864; 1886.

(*g*) (*i*) and (*ii*) For such information as is immediately available the member is referred to the District Gazetteers.

Co-operative Societies for jute-growers.

***XL. Mr. S. M. BOSE:** (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Agriculture and Industries been drawn to the great necessity of Co-operative Societies for jute-growers?

(*b*) Will the Hon'ble the Minister be pleased to state whether any scheme is being prepared for such Co-operative Societies, and, if so, on what lines is it being framed?

(*c*) Are the Government considering the desirability of formulating a scheme to start two or three such Co-operative Societies in East Bengal, by way of experiment, the Government guaranteeing for a limited time to make good any loss to such organizations?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): (*a*) It is presumed that Co-operative Societies of jute-growers for the sale of their jute are contemplated. Government are aware of the advantages which might be expected from the successful working of such co-operative societies.

(*b*) No practicable scheme has yet been formulated owing to the speculative element in the jute industry and the present unsettled condition of the jute market. Certain experiments have already been made, but the results of these experiments have not been very encouraging.

(*c*) The principle of Government guarantee against loss in the case of experimental societies has already been accepted and acted upon, but the principle has not been extended to the case of co-operative jute sale societies, as owing to the difficulties mentioned in the reply to (*b*) above, the Co-operative Department has not been able to formulate any definite schemes. The present financial stringency is such that Government cannot consider the grant of a guarantee to jute sale societies now.

Department of Agriculture.

***XLI. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the expenditure incurred on the Department of Agriculture, year by year, during the last 5 years;

(*ii*) the number of officers employed in the Imperial, and in the Provincial Agricultural Services;

(*iii*) the amount drawn during the last five years by each of these two classes of officers as (*i*) pay, (*ii*) travelling allowance, (*iii*) halting allowance, and (*iv*) other allowances, if any; and

(*iv*) the research work done by the officers of the Imperial and Provincial Services?

(*b*) Will the Hon'ble the Minister be pleased to make a statement showing the ways in which the officers of the Agricultural Department have advanced the cause of Agriculture in the province since the establishment of this department?

Mr. J. T. DONOVAN: (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*iii*) The information in the form asked for is not on record, and the collection of it would, in the opinion of Government, involve time and labour out of all proportion to its value when obtained.

(*iv*) and (*b*) The member is referred to the Annual Reports of the Agricultural Department and the reports of the Expert Officers.

Statement referred to in the reply to starred question No. XLI (a) (i) and (ii) showing (i) the expenditure incurred on the Department of Agriculture, year by year, during the last five years; and (ii) the number of officers employed in the Imperial and in the Provincial Agricultural Services.

		Rs
(*i*) 1917-18	.. ...	6,17,376
1918-19	... ...	7,62,099
1919-20	... ...	8,36,159
1920-21	... ...	9,08,809
1921-22	. ..	9,89,938

(*ii*) Imperial Agricultural Service (including the officers holding the Imperial Service posts temporarily) ...	10
Provincial Agricultural Service ...	13

Smoke-Nuisances Department.

***XLII. Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether a Smoke-Nuisances Department is being maintained in Calcutta?

(*b*) If so, what is the exact nature of its use to the public?

(*c*) What is the cost, capital, recurring or both, incurred by Government in maintaining that department?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) The department exists to safeguard public health and to protect the public against loss to property and discomfort caused by the emission of smoke from furnaces and fireplaces, in the areas to which the Act has been extended.

(*c*) The attention of the member is invited to the Detailed Account No. 37-D.—Miscellaneous Budget for 1922-23.

Sheds at Kankinara for political prisoners.

***XLIII. Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state—

(*i*) whether the construction of sheds at Kankinara for political prisoners has been completed, and, if so, at what cost; and

(*ii*) whether any such prisoners have been placed in such sheds, and, if so, how many?

(*b*) Is it necessary to keep and maintain such sheds for such purpose any longer?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) (*i*) and (*ii*) The member is referred to the speech of the Hon'ble the Member in charge of Jails in this Council on the 31st August, 1922, in connection with the demand for a grant of Rs. 49,660 for the Kanchrapara jail.

(*b*) The question of their disposal is under consideration.

Unstarred Questions

(answers to which were laid on the table).

Increase of cow's milk.

88. Babu AMULYA DHONE ADDY: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps have been taken during the last official year

by the Government of Bengal for the provision of pasture grounds, stud-bulls for breeding purposes, establishment of veterinary charitable dispensaries with a view to increasing the supply of pure cow's milk, and development of agriculture in Bengal?

(*b*) Are the Government considering the desirability of ascertaining what the Government of the other provinces have done in this matter and of laying a statement containing the information on the table?

Mr. J. T. DONOVAN: (*a*) As regards pasture grounds the member is referred to the speech of the Hon'ble the Minister on the resolution on cattle-breeding moved by Mr. Prasanna Deb Raikat at the Council meeting of 6th September, 1921.

As regards stud-bulls the member is referred to the reply to question No. 97 (*a*) asked by Maulvi Fazlal Karim at the meeting of the Council held on the 5th July, 1922.

With regard to veterinary dispensaries, two new dispensaries—one at Midnapore and the other at Kalimpong—were opened during the last year. As explained in the reply to question No. 4 (*c*) (*iii*) asked by the member at the Council meeting of 7th February, 1921, these dispensaries are not altogether charitable institutions as fees are levied according to a prescribed scale except where *bona fide* cultivators and others, whose income is below Rs. 50 a month, are concerned.

(*b*) No.

Sale of Civil Court buildings at Madaripur.

89. Babu BHISHMADEV DAS: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether the Civil Court buildings at Madaripur have been sold?

(*b*) If so, will the Hon'ble the Minister be pleased to lay on the table a statement showing—

(*i*) the names of the bidders;

(*ii*) the name of the officer who conducted the sale;

(*iii*) the name of the person or persons who purchased the buildings;

(*iv*) the price at which the buildings were sold; and

(*v*) the cost incurred in erecting the buildings?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): (*a*) The brick-work of the building has been sold, the steel-work and wood-work have been retained for use on other works.

(*b*) (*i*) Babu Kalyan Mitra; Janabali Munshi; Babu Nishikanta Bose; Babu Mohan Guha; Babu Behari Mondal; Babu Gopal Mondal; and Babu Dhirendra Das Gupta.

(*ii*) Babu Tarini Kanta Das Gupta conducted the sale in the presence of the Civil Subdivisional Officer.

(*iii*) Babu Dhirendra Das Gupta, the highest bidder.

(*iv*) Rs. 1,525.

(*v*) Rs. 31,831.

Extension of service to Mr. Swinhoe.

90. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether it is a fact that Mr. Swinhoe, Chief Presidency Magistrate, has been frequently absent from duty during the past year on account of continued ill-health?

(*b*) Have any extensions of service been granted to Mr. Swinhoe? If so, how many extensions?

(*c*) Has any further extension been applied for by Mr. Swinhoe? If so, is it the intention of Government to grant him any further extensions?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) No.

(*b*) Mr. Swinhoe has two extensions of one year each.

(*c*) He has made an application for further extension of service which is under consideration.

Pay of District Agricultural Officers for subdivisions.

91. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state the present scale of pay of the District Agricultural Officers for subdivisions?

(*b*) When was their pay last revised?

(*c*) Will the Hon'ble the Minister be pleased to state whether their pay has been increased like that of other officers owing to the enhanced cost of living?

(*d*) If not, are the Government considering the desirability of raising their present scale of pay?

Mr. J. T. DONOVAN: (*a*) Rs. 100—5—200 with a probationary period of two years on Rs. 75 per mensem.

(*b*) In 1917.

(*c*) No.

(*d*) Proposals for the revision of pay of the District Agricultural Officers are under the consideration of Government.

Agricultural loans in flooded areas.

92. Babu KISHORI MOHAN CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) aware that owing to the rule for advancing agricultural loans to a batch on joint responsibility instead of individually the recipients of the loan are being driven to the money-lenders to contract individual debts on exorbitant and ruinous rates of interest?

(*b*) Are the Government considering the advisability of issuing instructions for advancing loans individually especially in the flooded area in North Bengal?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) No.

(*b*) No.

Goondaism in Calcutta.

93. Rai Dr. HARIDHAN DUTT Bahadur: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the number of cases of "robbery," "extortion," and other forms of "goondaism" that were committed in Calcutta, in each year between 1910 and 1921; and

(*ii*) the steps that were taken by the Commissioner of Police from time to time to check "goondaism" and highway robbery indicating the results that were obtained?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*i*) and (*ii*) Attention is invited to paragraphs 19 to 21 and statement A of the Annual Administration Report of the Calcutta Police which give the crime figures and to the answers given to the question asked by Maulvi A K Fazl-ul Haq in the Bengal Legislative Council in 1920 (copy placed on the Library table) and to question No 109 asked by Mr. Krishna Chandra Ray Chaudhuri in April, 1921, and to question No 71 asked by Babu Surendra Narayan Sinha during the current session, which state the measures taken from time to time.

Goonda Department.

94. Rai Dr. HARIDHAN DUTT Bahadur: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year,—

(*a*) how many persons were arrested by the "Goonda Department" of the Calcutta Police since its creation—

(*i*) on complaint;

(*ii*) on anonymous petitions; and

(*iii*) by the officers of the Criminal Investigation Department attached to the "Goonda Department" of their own motion;

(*b*) for what period were the persons, who were arrested by the "Goonda Department," detained in the Police custody;

(*c*) how many persons were "discharged" by the "Goonda Department" and, if so, after how many "remands"; and

(*d*) how many of the arrested persons were sent up before the court and on what charges and what was the result thereof?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) Four hundred and twenty-eight persons were arrested in 1921 and 550 in 1922 up to the 30th October. The details asked for would require the examination of the records of each individual case, nearly 1,000 in number.

(*c*) Three hundred and twenty-one persons were discharged in 1921 and 405 in 1922 up to the 30th October.

(*d*) Of 78 persons sent up in 1921, 64 were convicted and 14 discharged. In 1922 up to the 30th October, 78 persons were sent up: 42 were convicted, 18 discharged and 18 are under trial. These cases were mostly under the preventive sections of the law. In addition, 24 persons were arrested and sent to other places where they were wanted for offences.

Goonda Department.

95. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing —

(*i*) the number of persons arrested by the "Goonda Department" on suspicion, complaint or otherwise, but "discharged" and subsequently found actually to commit an act of extortion, robbery or any other act of "goondaism" and convicted thereof; and

(*ii*) the number of persons convicted of extortion, robbery or any other form of "goondaism," who had previous convictions?

(*b*) Will the Hon'ble the Member be pleased to state whether the "Goonda Department" had any "previous information" about the movements of the culprits who were, later on, found to be guilty of any form of "goondaism"?

(*c*) If so, in how many cases had the department such information and what was the nature of the information?

(*d*) Will the Hon'ble the Member be pleased also to state how many cases have failed owing to inability to get "residents to come forward to give public evidence in court"?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) and (*ii*) The number of persons arrested from 1st January, 1921, to 30th October, 1922, is 978. Of these, 726 were discharged. It is impossible to supply the other details asked for without an examination of the records of cases, nearly 1,000 in number.

(*b*) Yes.

(*c*) and (*d*) Figures cannot be given without examining all the records, but it is the experience that a large proportion of the cases investigated fail for the reason stated.

Weaving school at Chittagong.

96. Babu ANNADA CHARAN DUTTA: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware that Muhammadan Jolahas and Hindu weavers at Satkania and other places of Chittagong, of which there are a large number, living upon weaving have not yet been able to get any training in improved methods of weaving?

(*b*) Will the Hon'ble the Minister be pleased to state whether any steps are being taken to give them such training?

(*c*) Are the Government considering the desirability of starting a peripatetic weaving school at Chittagong?

Mr. J. T. DONOVAN: (*a*) Yes.

(*b*) It is proposed to depute one of the peripatetic instructors to Satkania.

(*c*) Steps have been considered and discussed but in view of the general financial position and in the absence of sufficient local support it is not yet possible to open a peripatetic weaving school at Chittagong.

Elephants in Patiya Srimai Hills of Chittagong.

97. Babu ANNADA CHARAN DUTTA: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether he is aware of the fact that a large number of elephants have been committing serious mischief in the Patiya Srimai range of hills in Chittagong and that they are a standing danger to the lives and property of people residing in the locality?

(*b*) Are the Government considering the desirability of taking immediate action to start kheddah operations in that range?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) and (*b*) Government have no precise information on the facts mentioned in question (*a*). It was, however, originally

intended to hold a kheddah this year in this area but the proposal fell through. The question of holding a kheddah next year will be considered.

Babu ANNADA CHARAN DUTTA: Is not kheddah operation, properly conducted, a profitable one in the end? If so, will the Government in the meantime send for the precise information referred to in the question?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Yes, it is so. But it had to fall through owing to want of funds, and for another reason, which perhaps the member himself is aware of, because he comes from the district which was kept lively right through the last year by non-co-operation

Weavers and dealers of cloth in Pabna and Tippera.

98. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*a*) the number of weavers (Tanties and Jolahas) respectively

(*a*) in the Pabna Sadar subdivision,

(*b*) in the Sirajganj subdivision, and

(*c*) in the Tippera Sadar subdivision; and

(*b*) the number of cloth-dealers in those places?

Mr. J. T. DONOVAN: (*a*) A statement is given below -

Pabna Sadar subdivision—

Tanties—1,909; Jugis—513; Jolahas—10,997.

Sirajganj subdivision—

Tanties—2,144; Jugis—352; Jolahas—399.

Tippera Sadar subdivision—

Tanties—26; Jugis—16,990; Jolahas—3.

(*b*) The information is not readily available.

Reclamation of Ichamati river.

99. SHAH SYED EMDADUL HAQ: (*a*) With reference to the answer given to unstarred question No. 72(*b*) put by me on the 23rd August, 1922, will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) how the safety of the Hardinge bridge depends on the river Ichamati in the Pabna district as its source is 18 miles down that bridge; and

(*ii*) in what way will that bridge be affected if the Ichamati river is reclaimed?

(*b*) Have the Government taken any expert opinion in the matter?

(*c*) If so, will the Hon'ble the Member be pleased to lay a copy of that opinion on the table?

(*d*) If the answer to (*b*) is in the negative, are the Government considering the desirability of consulting some expert as regards the reclamation of the river Ichamati?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) (*i*) and (*ii*) The Engineering Committee of the Lower Ganges Bridge considered that the development of any of the rivers in the area now declared under section 76 (*b*) of the Embankment Act would endanger the bridge by making it possible for the Ganges to change its course.

(*b*) No.

(*c*) The question does not arise.

(*d*) No.

Muhammadan sub-inspectors of police.

100. Maulvi EKRAMUL HUQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state how many sub-inspectors of police in Bengal have been promoted to the rank of inspector of police during the current year and how many of them are Muhammadans?

(*b*) If there are no Muhammadans, will the Hon'ble the Member be pleased to state the reason why no Muhammadan sub-inspector was promoted?

(*c*) Will the Hon'ble the Member be pleased to state whether there were any Muhammadan sub-inspectors enlisted before December, 1905, eligible for promotion, and why their cases have never come up for consideration?

(*d*) Since April, 1921, what attempt was made by the Government to improve the cause of the Muhammadan sub-inspectors as regards promotion to the rank of inspector?

(*e*) Were any nominations received since then either by the Inspector-General of Police or by the Range Deputy Inspectors-General from their Superintendents of Police?

(*f*) If so, how many of them were in favour of Hindus and how many in favour of Mussalmans?

(*g*) Will the Hon'ble the Member be pleased to state how many assistant sub-inspectors were promoted to the rank of sub-inspector from 1920 up to date and how many of them were Muhammadans?

(*h*) Is it not a fact that in 1921, 30 assistant sub-inspectors were promoted to the rank of sub-inspector and out of them only one was a Muhammadan?

(*i*) Will the Hon'ble the Member be pleased to state what steps Government intend to take to safeguard the interests of deserving Muhammadan sub-inspectors and assistant sub-inspectors without injuring the efficiency of the department?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Ten sub-inspectors have been promoted to the rank of inspector during the current year. None of them is a Muhammadan.

(*b*) Promotion to the rank of inspector is made according to seniority and merit, irrespective of racial considerations. During the current year there was no Muhammadan officer with the necessary qualifications.

(*c*) There is only one such officer. His name has been placed on the approved list for promotion, for consideration when his turn comes.

(*d*) No special action has been taken to favour Muhammadan sub-inspectors. All officers have equal facilities for learning their work and qualifying themselves for promotion.

(*e*) Yes.

(*f*) The Inspector-General of Police received 32 nominations - 31 Hindu officers and 1 Muhammadan of whom 5 Hindus and 1 Muhammadan were selected.

(*g*) Twenty-two assistant sub-inspectors have been promoted to the rank of sub-inspector since 1920, of whom 6 are Muhammadans.

(*h*) No. There was no recruitment of sub-inspectors in 1921.

(*i*) There is no reason to apprehend that the claims of deserving Muhammadan officers for promotion are overlooked and no such steps are considered necessary.

Flood-stricken people and money-lenders.

101. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether he is aware that money-lenders are taking advantage of those sufferers from flood in North Bengal who have lands of their own?

(*b*) If so, are the Government considering the desirability of taking immediate steps to save the victims of flood from money-lenders?

(*c*) Will the Hon'ble the Member be pleased to state whether prompt steps are proposed to be taken to postpone the realisation of rents from *raiyats* of the affected areas and of making equitable arrangements with the zamindars for the purpose?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) and (*b*) Government are not aware of the allegation made in question (*a*); but Government have made arrangements for loans to be given for agricultural purposes on a large scale.

(*c*) No such proposal has yet been received from the local officers, so the question does not arise.

Grand Trunk Canal Project.

102. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state the amount of actual expenditure incurred up to date for the Grand Trunk Canal Project?

(*b*) Will the Hon'ble the Member be pleased to state the name, rank and length of service of the Engineer, who was entrusted with the preparation of the Grand Trunk Canal Project and who estimated its cost of construction, and also the name, rank, position in the list of Irrigation Engineers, as well as the length of service and special practical knowledge of construction of big canals, of the Engineer who has been placed to carry out the project?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Rs. 11,44,486 (up to end of October, 1922), excluding the dredger *Ronaldshay* (Rs. 40,70,279).

(*b*) Mr. C. Addams-Williams, C.I.E., Chief Engineer, Irrigation Department, Bengal, whose length of service amounts to a little more than 25 years. No officer has been placed to carry out the project which is at present held in abeyance.

Clerks in Forest Department.

103. Babu NALINI NATH ROY: Will the Hon'ble the Member in charge of the Department of Revenue (Forests) be pleased to state how many clerks of the department (Forest Branch) are matriculates, under-graduates and graduates, stating the period of their services and also the pay that is being drawn by them?

MEMBER in charge of DEPARTMENT of REVENUE [FORESTS] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): There are 53 clerks in the offices under the Forest Department whose pay ranges from Rs. 35 to Rs. 300. Information as regards the rest of the question is not in the possession of Government and the labour involved in obtaining it would not be commensurate with the results.

Daulatpur steamer station.

104. Babu NALINI NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Marine Department aware of the inconvenience and danger to life caused to the steamer passengers of the "Khulna-Kalia-Magura-Narail" daily service of the Rivers Steam Navigation Company at the Daulatpur station where there is a railway connection (Eastern Bengal Railway, Central Section)?

(*b*) Is the Hon'ble the Member aware that there is no jetty or any other suitable arrangement at the steamer *ghat* and that passengers (including ladies and children) are obliged to embark and disembark through a wooden plank, one foot broad and 30 or 40 feet long?

(*c*) Are the Government considering the desirability of drawing the attention of the Steamer Company to this matter?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*), (*b*) and (*c*) A reference was made to the Rivers Steam Navigation Company who state that a jetty was tried at Daulatpur Ghat but was not found suitable. They say that the present arrangement under which passengers disembark by planks with a bamboo hand-rail is the usual method at small riverine stations and is found quite suitable, and that there is no danger to life involved.

Calcutta Goondas.

105. Mr. BIJOYPROSAD SINGH ROY: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether there is a list of the notorious goondas, and gangs of goondas in Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state what is their total number?

(*c*) Will the Hon'ble the Member be pleased to state to what different nationalities these goondas belong and their respective numbers?

(*d*) Are these goondas born and domiciled in Calcutta and do the Government consider them as Bengalis?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes; the list is not yet complete.

(*b*) Three hundred and forty-six persons have been entered in the list up to the 30th October, 1922.

(*c*) and (*d*) They are classified as follows:—

(*1*) Up-country Hindus—133.

(*2*) Up-country Muhammadans—34.

(*3*) Peshwaris and Punjabi Muhammadans—26.

(*4*) Bengali Hindus—51.

(*5*) Bengali Muhammadans—101.

(*6*) Bengali Christian—1.

Very few of classes (*1*), (*2*) and (*3*) are natives of Calcutta or domiciled there.

Resolutions

(on matters of general public interest).

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): The House will resume the adjourned discussion on the resolution on the paper regarding typists and copyists of civil, criminal and revenue courts which stands in the name of Shah Syed Emdadul Haq.

Typists and copyists of civil, criminal and revenue courts.

Khan Bahadur Maulvi WASIMUDDIN AHMED: There is a Bengali proverb to the effect that the hard lot of poor men is pressed down by a stone. This proverb is literally applicable to the lot of the poor copyists in this province. In August last this House accepted a resolution moved by me for improving the lot of this hard-worked class of people. Although a year has passed away, nothing has happened to show any real work and they have been left where they were before. This is due to the fact that they do not belong to the ordinary staff of Government but they work under a quite different system, that is, they are paid by fees which are realised by selling folios. The public as well as themselves consider that they are entitled to as much favour as the other salaried officers of Government, including the menial staff, whose pay has been recently increased on the pretext that it was due to high cost of living. I have tried to impress on this Council the fact that if the real reason for improving the salaries of officers was the high cost of living, then the Government ought to have begun from the bottom and not from the top, because it is only the people who draw very small salaries that find difficulties in purchasing the necessaries of life in these days, whereas the money expended by the fat-salaried officers forms but a very small fraction of their salaries. So I said if the intention was to give relief, the increment ought to have taken place

from the bottom. Everything, it seems, has been done for the rich, who drew their increments from January, 1922. But nothing has been yet done for the copyists or typists—and I put it to the House: is it at all humane to refuse to these hard-worked people the crumbs from the table, when the officers are regaling themselves with the delicacies of the table? I think it would be cruel to refuse to give them a small allowance in view of the fact that they are to suffer from penury owing to the high cost of living and they are the class of people who do not know how to make both ends meet. The ordinary plea will perhaps be brought forward that a very considerable sum of money will be required if these people were brought on the ordinary staff and paid by salaries However, this resolution has been framed with a view to meet the convenience of Government so as to offer some solution to this problem pending the official decision of the resolution that has been put by me. I think it would not be out of place to mention here that in increasing the salaries of the officers and the ministerial staff, Government have spent a large sum from their own revenue And if the Government are at all determined to do something for these poor people, they could spend a little out of their revenue But at present the folios are sold at 3 annas per piece and these copyists and typists get 2 annas per piece, while the Government get 1 anna. Of course Government have to maintain a staff out of the sale proceeds of these folios, such as comparing clerks and a sheristadar, who has to certify the copies, and for that the Government can claim something; but I submit that the Government have money enough to pay fat salaries to munsifs and sub-judges The munsif who was drawing Rs 300 one fine morning found himself drawing Rs 500, whilst the income of these copyists, which is only Rs 30 to Rs 40 a month, is becoming less in these hard times owing to the decrease in law suits. Whilst the ministerial and menial staff of the Government are getting higher pay, these people are finding their income becoming less every day. Already some district officers are thinking their number should be curtailed and thereby an improvement may be made in the lot of some of these people Sir, this would be a harder thing. In order to increase the prospects of a few we are going to deprive other copyists of their means of subsistence. Therefore I would ask Government that where it is not possible to surrender a portion of the revenue, which is derived from the labours of these people, they would be pleased to make some concession in order to show to the world that in the general distribution of the concessions they have got something out of that, though very small.

With these words I support Shah Syed Emdadul Haq's resolution.

Maulvi SHAH ABDUR RAUF: I have great pleasure in supporting the resolution moved by my friend, Shah Syed Emdadul Haq. The conditions of the poor typists and copyists was described in this Council not long ago when a resolution was brought before this House by

Khan Bahadur Maulvi Wasimuddin Ahmed with regard to the amelioration of the condition of the copyists and the typists. I will describe the pitiable condition of these poor servants of Government in a few words. As government servants they have got to do their work and to bear the inconveniences of Government service, but they are not given the attendant privileges of Government service. The salaried ministerial officers enjoy holidays for three months in a year and they get their full salary. But these persons, while out of work, do not get anything. However, when owing to the rise in prices of the daily necessaries of life Government thought it wise to increase the salaries of Government officers wholesale, why then should not the case of the poor copyists and typists be taken into consideration? Sir, their lot is poor indeed, and they are poorer than any Government servant. Sir, it may be said that it would cost a heavy sum of money to give them any increment, but when Government thought it right to raise the salaries of all officers even though they are well paid, at the time of financial stringency, I fail to understand why Government cannot spend anything for the relief of these poor people by curtailing expenditure under some other heads. Khan Bahadur Maulvi Wasimuddin Ahmed has told us just now that 3 annas are derived from the sale of folios, whilst 2 annas only are given to the copyists. I would suggest that 3 annas should be given to these people, so that some sort of relief may be given to them.

With these few words I cordially support the resolution.

The Hon'ble Sir ABD-UR-RAHIM: The question regarding the remuneration of the typists and copyists, who are employed mostly in the courts and also in other Government offices, has two aspects. The present practice has prevailed for nearly a century, if not more; the copyists are paid for piece work, that is to say, they are paid so much at a particular rate for a particular quantity of work turned out by them. This system, which has prevailed for a long time, has been investigated more than once by the authorities concerned, including the High Court, and they came to the conclusion that the system is on the whole best, having in regard the nature of the work that has to be performed. Again, we consulted the High Court the other day as to whether it is feasible or desirable to change the system and to embody the typists and copyists in the ranks of ministerial officers on fixed salaries, and definite terms of service and conditions. They were distinctly of opinion that it was desirable and on the whole best to keep to the present system. At the same time the High Court suggested certain measures by which the position of these men might be improved, and the Government gladly agreed to bring into operation these measures as soon as their financial position admitted of it. The resolution that has been referred to by the previous speakers was passed by this House in August, 1921. At that time, as every member of the House knows, the financial

condition of the province was not anything as unsatisfactory as it is now and no one then anticipated that things would turn out so badly. At that time we were all fervently hoping that it might be possible for this Government to get the Meston award modified so that Bengal might receive better justice at the hands of the Government of India. But, Sir, that hope has been frustrated. Then to get out of the difficult financial situation this House agreed to fresh taxation. We all hoped that Bengal would be now flush with money or at least have sufficient money to carry on the administration without anxiety. Our expectations, however, were pitched high; at least our calculations have not been fully realized. This is the sum total of our position, and the position in fact, is such that we are not at liberty to give effect to any new scheme, and every department of the Government has agreed not only to give up all new schemes but also to curtail its ordinary expenditure to the narrowest limit possible. I have every sympathy with the object of the resolution that has been put forward by the Shah Sahib and supported by Maulvi Shah Abdur Rauf, Khan Bahadur Maulvi Wasimuddin Ahmed, and others. I have much sympathy with the copyists and typists, but I must say that at the present moment it is not at all a practical proposition to give them immediate relief of any kind. The High Court proposes that under the circumstances the best way for meeting the situation would be gradually to curtail the number of copyists, which will improve the prospects of the remainder. In that way it is expected that their nominal minimum remuneration, which is at present Rs. 30 or Rs. 35, will go up to Rs. 40 for the copyists, and for the typists it is calculated that their minimum remuneration will be something like Rs. 50. It may also be that in some districts the remuneration may be higher and the copyists may get as much as Rs. 50 as minimum and typists as much as Rs. 65. The High Court also proposed that the Government should contribute something towards the Provident Fund, which it is now open to the copyists to join. We are considering that proposition and we shall like to give effect to it, but unfortunately we find that owing to financial stringency it is impossible to give effect to it at present. That is the position, Sir, and let it be understood that there is no want of sympathy on the part of Government and that we are, in fact, disposed to ameliorate the condition of these people. I can assure the House that the Government have not forgotten and are not likely to forget the case of these copyists and typists and that we will be prepared, as soon as it is practicable and as soon as we have sufficient funds at our disposal, to formulate a proper scheme in order to give them relief.

Under these circumstances I would ask the Shah Sahib not to press his resolution. We shall do what we can to improve the position of these people, but at present it is not possible for the Government to say that they are in a position to give them any immediate relief.

Shah Syed Emdadul Haq replied in the vernacular and the motion was, by leave of the Council, withdrawn.

Stands, enclosures, etc., on the Calcutta Maidan.

Babu NALINI NATH ROY: I move that this Council recommends to the Government that they be pleased to take necessary steps, as early as possible, to sell by public auction, from time to time, the right to erect stands and enclosures round the football grounds on the Calcutta Maidan, and to levy a reasonable fee for the right to erect tents and structures thereon, and to devote the income derived to charities proportionately to the numerical strength of the different communities.

The Calcutta Maidan is a splendid property. It can be, and is being, put to a variety of uses. It is a place for exhibitions and shows, sports and gambling. This property belongs to the Government of India. Whether it belongs to the Government of India or any other body, I do not much care about, because I know for a certainty that it belongs to the public; for I know that the Government of India itself is the property of the public—the public with a capital P—and not to any public functionary. Had it been the property of an individual, if it is transferred to a merchant of Barabazar or Clive Street, how would it gladden his heart and at the same time swell his purse! But because it is public property, there is no reason why it should not fetch a reasonable income to its owner—the public.

The owner certainly enjoys the right of ownership by walking and driving over it, but any income that can be made out of it goes to the pockets of others than the public. Every member of the public has every right to enjoy every part of this property without let or hindrance, subject only to the like liberty of others. So when a man or a body of men occupy a portion of it for their exclusive benefit, he or they should be made to pay a reasonable sum of money to its owner (other things being equal); this sum should be the highest sum available for the enjoyment of such exclusive benefit; or in other words, the right to erect stands and enclosures should be ordinarily disposed of by public auction, when such auction will prove more profitable than disposal by private treaty. This is the principle underlying my resolution. I think it will be admitted that this is a fair principle.

As to the annual letting value of this property, the acting Chairman said in the course of a meeting of the Calcutta Corporation that it can be made to fetch an income of 10 or 12 lakhs of rupees annually by taxing all the properties standing on it.

What income is it fetching now, I will show from some replies to some questions of mine.

I put the following question: "Will the Hon'ble the Member in charge of the Police Department be pleased to state how much money

has been realized by the Commissioner of Police, Calcutta, during the last three years by allowing private companies to erect stands and other temporary structures on the Calcutta Maidan?

The answer was: "Clubs are charged a small fee for erecting a tent. The amount realized during the last three years—1919-20, Rs. 606; 1920-21, Rs. 412; 1921-22, Rs. 566. For permission to place temporary stands round certain football grounds during the football season a contractor pays a contribution to the 'Poor Box' of the Commissioner of Police. The amount is Rs. 2,000 this year; in previous years it was Rs. 1,500."

My second question was: "Will the Hon'ble the Member in charge of the Police Department be pleased to state whether the Government realize any money from the Royal Calcutta Turf Club and the Golf Club for the erection of structures on the Calcutta Maidan?"

The answer was: "The Royal Calcutta Turf Club pays one gold mohur a year under the terms of its lease. The Royal Calcutta Golf Club pays Rs. 20 a month and the Ladies' Golf Club Rs. 5 a month."

When I heard that the Royal Calcutta Turf Club pays one gold mohur, I was tempted to move a resolution in this Council that the gold mohur be annually touched and returned. This affair of gold mohur is very significant. It shows the spirit in which the Maidan has been disposed of in the past and recalls the days of the Badshas and Nawabs. In those good old days a clever man securing access to these Nawabs would tender a *nazar* of a few gold mohurs when the great man was in good humour and forthwith the *hukum* would be made that such and such parganas be bestowed on this man down to his descendants. Those happy days have gone out of India and should go out of the Maidan too. I do not venture to say anything against the Calcutta Turf Club or the Golf Club or sacred interests of that sort, but I think I can raise my voice against things and objects that have not yet acquired sanctity. When the claims of charity or vested interests are not insuperable, I propose that the claim of the owner of the property to get the maximum amount of pecuniary benefit from it, should prevail, or in short, the right to erect stands, etc., should be disposed of by public auction.

The right to erect stands for the football crowd has not yet acquired sacredness for any one, but I hope and believe it will do so at no distant date. I propose that when vested interest has not yet taken root in any soil on the Maidan, it should not be allowed to do so. That this property has not been used for the benefit of the public purse to an extent that is desirable, is perhaps plain to all. As custodians of the public purse we want to see that it is done now. If the sanction of the Government of India is requisite, let it be obtained by all means. The rest of my resolution does not call for any comment.

Mr. J. CAMPBELL FORRESTER: I have listened with a good deal of sympathy to the proposals contained in this resolution, and in fact have every sympathy with the object of charity. As I have every sympathy with anything that helps to promote the sports and amusements of the people, there is nothing that gives me greater pleasure when motoring round the city than to see our children's play-ground, fully occupied by the children playing joyfully on the swings, and flying round on the giant's strides. All these exercises helping to make muscle and to strengthen the lungs; all making for good health and strength, and a healthy body means a healthy mind. It also affords me great pleasure to see the youth on the football field strenuously following that elusive bit of leather—the football—to and fro; the pleasant picture of the health-giving game of cricket and the fascinating game of tennis—all these, Sir, are going to build a new India; all helping to make happier people and a great and contended India. I have said this much, Mr. President, to show you that I have no objection whatever to any effort to promote the necessary recreation for the children and youth. But, Sir, the problem of the health of all communities in Calcutta is surely of the utmost interest and importance. Therefore, I must strongly oppose anything in the shape of construction being placed on this great open space, which must be properly guarded from any encroachment It is truly called the "Lungs of Calcutta," and under no circumstances should any obstruction be allowed that would interfere with the free passage to and fro of Calcutta citizens. Sir, any one who has witnessed an important football match in Calcutta must recognise that the time has come when a space must be allotted or set apart for this popular sport as well as other sports, and also have witnessed the congested condition of the traffic and the great exertions of the police to try and keep some semblance of order under trying conditions that do not permit the proper handling of a crowd Grounds must be secured with entrances and exits and constructed in such a manner that the police can handle the traffic more easily and prevent the blocking of the main thoroughfare I would ask the member who have just moved this resolution to devote his energies to securing a large open space to be used for football and other athletic sports Sir, one final word: this Council must on all occasions recognise the necessity of the rights of the Calcutta citizens and thus guard jealously this valuable open space—the people's Maidan.

Babu FANINDRALAL DE: I rise to oppose the resolution. I am surprised that the mover, himself a sportsman, wants to introduce a system which will be extremely detrimental to the cause of sport in Calcutta The disadvantages of the proposed measure are obvious. If the right to erect stands and enclosures round the football grounds be sold by public auction, the policy of the individual or the firm who will secure the right will be absolutely mercenary, and we cannot

expect it to be otherwise in a case of competition. The inevitable consequence of such a step will be that the charges of admission will be constantly raised, to the immense discomfiture of the sport-loving public, surely not a desirable thing. The firm securing the right under the present system is to pay, I understand, a decent sum of Rs 2,000 to the Police Commissioner for charity purposes and allow the galleries to be used free by Indian Football Association and the Calcutta Football League in charity matches, the average annual income from which amounts to Rs 25,000 to Rs 30,000. All these, I am afraid, we will be deprived of, when these rights are sold by auction. Then I would have liked that the question of communities be not introduced in sports. I may inform the mover that last year more than 50 per cent. of the income derived from charities was given to local Indian institutions of different sects. Again, it must not be forgotten that the firm is to incur fairly high charges for removal and in the high depreciation in the materials for the gallery.

The second part of the resolution seems to me to be most unreasonable. Every one will admit that a tent is a necessity in a sporting ground, for shelter during rain, changing of clothes, refreshments, and keeping sporting gear. The clubs permitted to erect tents, do not enjoy it free. They are to pay a license fee of Rs 11 per annum for it, they are to incur charges for improving the ground and getting connections for water and light for it, they are again, required by law to dismantle and re-erect it annually, which means a heavy recurring charge on their finances and considerable hardship on them.

I hope my friend the mover will consider all these and not press for the resolution. Throughout the world there is an effort to encourage sports and athletics, to create a healthier generation. The problem of facilitating these is acute in all big cities and more so in Calcutta. Every possible help, financial and otherwise, should be rendered to the cause of healthy sports. This resolution, if adopted, will be a move in the retrograde direction, and hence I oppose it.

Rai HARENDRANATH CHAUDHURI: Being a mufassal member, I am in entire sympathy with my friend, Babu Nalini Nath Roy, who has moved this resolution. The proposal contained in this resolution is, I think, an eminently reasonable one. The position of the Calcutta Maidan, Sir, is a peculiar one. It is owned by the Government of India, it is used by the Calcutta people and it is maintained at the expense of the whole of Bengal. In last March, a demand was brought forward for Rs 2,21,000 in pursuance of a scheme of about Rs 7½ lakhs for laying out roads and tarmacadamising the existing roads on the Maidan. At that time I raised a note of protest, and inquired why the Calcutta Corporation could not be asked to contribute this sum of money. Forthwith came the reply from the Government bench that the Maidan lies outside the limits of the Calcutta Corporation. Therefore, the whole of Bengal—and it was considered good

logic on the part of the Government—ought to contribute to the cost of tarmacadamising these roads. That is the position. I think, if my friend's resolution is accepted, there is some possibility, if not now, at least in future, of the Maidan paying for itself. Moreover, I do not see how it can affect the charities as Mr. De apprehends, for Mr. Roy expressly says that the whole income derived from it will be devoted to charities. So I beg to support the resolution which has been so ably moved by my friend, Babu Nalini Nath Roy.

Mr. H. A. STARK: I am sorry I must oppose the resolution. I consider it objectionable, even if it were possible. I think it should be clearly kept in mind that the arrangement proposed in the resolution would interfere with the military and police control of the Maidan, which, I think, is most important. The purchaser of the rights will levy fees to recover the money he has paid, and the levying of fees will, in turn, involve the levying of the amusement tax. Now, what will it mean? It will mean that whereas at the present time large crowds of people who cannot afford to pay for amusements and who are accustomed to gather on the Maidan to see these games, will be absolutely prevented from having these healthy and innocent amusement that costs nothing, by reason of galleries and stands obstructing their view. I do not think that in the interests of the great crowds that gather round the Maidan to witness game, we should allow anybody to acquire the right of erecting galleries and stands thereon.

In the next place, I should like to say that there are a large number of schools in the city which have not got their playing grounds on the school premises; their playing grounds, which are accommodated on the Maidan, would then be taken away, or they would have to pay larger fees, if this resolution is carried. There are at least two charitable schools, of which, I know, which have their playing grounds on the Maidan; and these are likely to be taken away from them because some one is going to make money out of it. There is no other ground which can be given them free, excepting the site which has been already allotted to them.

As regards the distribution to charity, I find the proposal is that the income should be distributed to charity proportionately to the numerical strength of different communities. That seems to be a very false basis for distribution. We should try to discover as to which community participates in the games most of all and adjust the distribution accordingly. I think it is only fair and right that that community should get the largest share, and not that which has a numerical superiority. All that I can say is that I fear that this resolution is going to raise a great deal of trouble both to the authorities and the public, and I very strongly oppose it.

Rai MAHENDRA CHANDRA MITRA Bahadur: I beg to support this resolution. The resolution speaks for itself. It asks the Council

to consider whether a reasonable amount can be recovered on account of the structures that stand on the Maidan. It goes further and says that the income derived should be spent on charities—charities not confined to one community but to be distributed to all the communities. What possible objection can there be if by any process the lands can be made to fetch some income, I fail to understand. It will not affect anybody. Mr. Stark has submitted to the Council that it will create some trouble, but I do not apprehend any trouble at all; because we know the object is very good. And the question is a simple one. Therefore, my humble view is that there should not be any objection to the proposal.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support the resolution. I could not at first quite understand what was the scope of it and what were the objections against it, but now that I see it very closely I think it should be supported. Many irrelevant issues have been raised. The first irrelevant issue was that of Mr. Forrester. He said that he was opposed to it, because it would close the Maidan to the public. As the resolution stands, there is no such intention. It only wants that stands and enclosures should be let out by Government. It is not intended that any further extension should be made. That being so, Mr. Forrester can have no objection whatsoever. The only question is whether it should be let by Government or by another person.

Then, again, Mr. Stark has raised another very contentious objection about the different communities. I fail to understand why this question should arise at all. The question before the House is that these enclosures should be let out by Government and the proceeds distributed by them in an impartial manner. At present, the proceeds are unfairly and partially distributed. Therefore, I very strongly support the resolution.

The Hon'ble Mr. H. L. STEPHENSON: The mover's speech shows, I think, how very deeply the iron of financial embarrassment has eaten into our soul. I never expected that a member of this Council would get up and propose that Government should exploit the Maidan for the benefit of the public purse. The Maidan is mainly for the benefit of the public lungs. The origin of the Maidan is doubtless known to the members of the Council. It is the glacis of the Fort, and for this reason the Military Department still have certain rights over it, and our control over it is, to a certain extent, restricted. Subject to that, the Government of Bengal is the guardian of the Maidan on behalf of the public. I think the whole House will agree, if they consider the matter carefully, that it would be a breach of that trusteeship to turn that magnificient space into a means of making money. The resolution, if pushed to its logical conclusion, would, as Mr. Campbell Forrester has pointed out, compel Government to lease

out or sell the Maidan, because in his speech the mover has said definitely that it is the duty of Government to make all they can out of it. To my mind, the mover has deprived himself even of the sympathy which he might otherwise have obtained from one portion of the Government, namely, the Finance Department, when he proposes to hand over the proceeds not to a depleted exchequer, but to charity.

Government is in a somewhat peculiar position with regard to the Maidan; in the first place we are the trustees of the public in relation to the Maidan. At the same time, the Maidan is the one open space for Calcutta. It is the only place where the schools of Calcutta, the sporting clubs, etc., can carry on their games, and I may, in answer to Rai Harendranath Chaudhuri, point out that a very large number of the youths who may be seen playing on the Maidan come from the mufassal. Government therefore are bound, in the interests of public health and the public convenience generally, to allow games to be played on the Maidan within certain limits so as not unduly to interfere with the rights of the public on the Maidan. For that purpose the Commissioner of Police allots grounds to a very large number of clubs. There are not sufficient grounds to go round among the clubs; and many clubs have to share one ground, but so far as possible an endeavour is made to provide opportunities for schools and colleges for healthy exercise on some days of the week. Recently, there appeared in a daily paper a statement that an exhibition was going to be held on a certain portion of the Maidan; that statement was entirely unauthorised, but within two days I was inundated with letters from Secretaries of football and other clubs requesting me not to part with the rights of the public in this way.

The resolution does not state clearly that it is proposed to let out these grounds to the highest bidder, and when dealing with the resolution in my files it never entered my head that such a proposal would be made, but apparently that is what the member means. That, I think, would be absolutely impossible. For one thing, it would place a premium on sport and would give an unfair advantage to the rich over the poor. It is the schools chiefly for which Government want to provide recreation grounds and also exercise for men employed all day in offices and other places. We cannot expect them to pay large sums of money. Those who can pay large sums are *primâ facie* able to provide grounds for themselves elsewhere. Secondly, it is necessary, in order to make the Maidan a suitable ground to play cricket or other games on, to spend some amount of energy, money, and time. It is most unfair to ask a club to lay out money and energy in preparing a ground for itself and then hand over that ground to some one else who pays a few rupees more in the following year. As has been pointed out, it will practically mean that the Maidan instead of providing a number of very good grounds would remain a rough and very indifferent playground on which few clubs would take any pride in playing. I trust,

therefore, that the idea of leasing out to the highest bidder and making money from the one open space in Calcutta and making that money at the expense of the health of the school boys, the students, and the working men of Calcutta will not commend itself to the Council.

As regards the other point, namely, the letting out of stands, as has already been explained, the grounds are let out at a purely nominal rate, and applications to erect a tent or a temporary hut are very carefully scrutinised by the Commissioner of Police; every hut erected on the Maidan has to be removed once a year in order to prevent the establishment of any right.

Of late years the popularity of football has grown to such an extent that a big football match in Calcutta attracts an enormous crowd. These crowds are very difficult to deal with from the police point of view. In the ordinary way, for instance, in England if the police were unable to deal with a crowd round a football ground, they would prohibit play there and direct that the match be played at a place where proper police arrangements could be made. That cannot be done in Calcutta because there are no other grounds. The possibility has been foreshadowed by Mr. Campbell Forrester of erecting something of the nature of a stadium where all these big matches could be played. That is a big question which, I have no doubt, will come forward for public discussion in the near future. But my point is that owing to these crowds the police have to devise some means of controlling them, and the only way of controlling a big crowd is by having properly barricaded stands. I have no doubt that many will remember that in the old days on every Saturday morning streams of small boys used to carry packing cases across the Maidan That was the beginning. Now the police insist on a certain number of these grounds where the bigger matches are played being provided with properly built stands. Last year the police went a step further. Hitherto they allowed stands on both sides of the grounds; last year the ends were also barricaded, and the Commissioner of Police has warned the Government that if the crowds go on increasing, he will not be able to take the responsibility of maintaining order at a really big football match in Calcutta unless there is something of the nature of a stadium. That does not affect the present resolution. As these stands are necessary, the Commissioner of Police authorised their being erected. They are erected according to his specification and under his direction and inspection. That is absolutely necessary to prevent accidents. As has been mentioned, the contractors who put up these stands are allowed to charge a fee for admission, and these charges are fixed by the Commissioner of Police at 8 annas and 4 annas. The Commissioner of Police realizes a contribution for the right of erecting these stands, and the money thus collected is given to the Poor Box. As the House is aware, the Poor Box is not a denominational charity. Therefore to that extent it carries out the wishes of the mover. Last year the gift to the Poor Box was

raised to Rs. 2,000. There is no objection whatever on the part of Government to the right of putting up these stands under these circumstances being put up to auction, but Government cannot agree to its being put up to auction in the ordinary way. We cannot have speculators coming in and putting up shoddy stands in order to make money. I am informed that there are only two contractors who have ever expressed a wish to erect these stands, but if there are more men willing to put up stands on these conditions, certainly I will instruct the Commissioner of Police to consider their claims. I would make it quite clear again that we cannot agree to put up a free auction of the right generally to put up stands because that would not be carrying out what is the main object of these stands in their origin, namely, giving facility to the police in the handling of crowds.

So far as charity is concerned, as I have said, the Poor Box benefits very largely. There are six charity matches in the course of the year, and in those charity matches the contractor has no rights. He has to hand over his stands to the management, who receive the whole of the takings for the purpose of charity. I have here a list of the charities to which last year money was devoted. It includes different communities and different forms of charity. In this connection I demur to the principle laid down by the mover that charity should be given in proportion to the numbers of the community. Charity should, I think, be given in proportion to the needs of the different communities, and I agree with Babu Fanindralal De that there is no place for communalism in charity.

I trust, therefore, that I have explained the origin of these stands to the House and I have convinced them that it will not be right for Government to try and make money out of the Maidan, that it would not be safe for Government to put up these stands to auction. If there is any way by which the Commissioner of Police can screw for the Poor Box more money from other contractors who wish to put up these stands on similar conditions, I am perfectly willing to instruct the Commissioner of Police to get as much as he can, and I trust that the mover will see his way to withdraw his resolution.

Babu INDU BHUSHAN DUTTA: May I ask a question? How much does the Military Department pay for the upkeep of the Maidan?

The Hon'ble Mr. H. L. STEPHENSON: Nothing.

Babu NALINI NATH ROY: I am not very much convinced by the argument put forward by the Hon'ble the Member in charge, because he argued it more for the benefit of a certain class than for general. As for Mr. Fanindralal De, he has rightly observed that I am a sportsman, and I used the ground only on last Saturday, but that is no reason that I should lay claim for my personal comforts in the Council Chamber. Many supporters of my resolution have already explained the objection

raised by some of the gentlemen. As regards the complaint that the cause of charity will suffer, I want to explain to the Council something. This objection is not at all reasonable. I think it has been raised merely for the purpose of shelving the matter. My resolution is wide enough—it says "and to levy a reasonable fee." The fees are already paid by the clubs and other men who are enjoying the Maidan for sports, and I never mentioned that those are unreasonable. These fees are quite reasonable, and if the Council so decide, they may be omitted altogether, at the discretion of the officer who is in charge now. The object of my resolution, as will be seen from the reading, is to advance the cause of charity and not to stifle it, but what I want to stop is favouritism—taking away by private parties the money that should go towards public charity. If the recommendation is reasonable, let it be pressed by all of us. If no other good comes out of it, we shall at least be doing our duty by pointing out the source of income of the public which lies at our door.

As regards the other things pointed out by the Hon'ble the Member, namely, that there will be inconvenience to the military and other people, if we lease out to some other bodies, I beg to submit that rules can be framed to protect these things and the highest bidder at the auction shall have to abide by these rules, so that there will be protection; the highest bidder—the man who will take the lease—may not do whatever he likes. With these words I cannot see my way to withdraw the resolution and I want to press it.

The question was then put and a division taken, with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Rafi Uddin.
Arhamuddin, Maulvi Khandakar.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Babu Tankanath.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, Rai Harendra Nath.
Choudhury, Maulvi Rahmatjan.
Das, Babu Bhismadev.
Dutta, Babu Indu Bhushan.
Ghose, Rai Bahadur Jogendra Chunder.
Janah, Babu Sarat Chandra.
Khan, Maulvi Hamid-ud-din.
Makramali, Munshi.
Mitra, Rai Bahadur Mahendra Chandra.
Mukhopadhaya, Babu Sarat Chandra.
Nasker, Babu Hem Chandra.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Jogendra Krishna.
Ray, Babu Jogendra Nath.
Roy, Babu Nalini Nath.
Sarkar, Babu Rishindra Nath.

NOES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Munshi Ayub.
Anam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Barton, Mr. H.
Chaudhuri, Maulvi Shah Muhammad.
Choudhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
De, Babu Fanindralal.
Deare, Major-General S. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doncvan, Mr. J. T.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Annada Charan.
Emerson, Mr. T.
Farequi, Mr. K. G. M.
Forrester, Mr. J. Campbell.
French, Mr. F. C.
Ghose, Mr. D. C.
Goode, Mr. S. W.

Hornell, Mr. W. W.
Huntingford, Mr. G. T.
Hussain, Maulvi Mahammed Madassur.
Khan, Maulvi Md. Rafique Uddin.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Maitra, Dr. Jatindra Nath.
Mukherjee, Babu Nitya Dhan.
Mullick, Babu Nirode Behary.
Parrott, Mr. P.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-.
Rauf, Maulvi Shah Abdur.
Ray, Babu Surendra Nath.
Ray, Rai Bahadur Upendra Lal.
Roy, Mr. Bijoyprosad Singh.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Rai Bahadur Lalit Mohan Singh.
Skinner, Mr. H. E.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. Hassan.
Travers, Mr. W. L.

The Ayes being 24 and the Noes 49, the motion was lost.

Amendment of the Bengal Local Self-Government Act, 1885, and the Bengal Village Self-Government Act, 1919.

Babu BHISHMADEV DAS: I move that this Council recommends to the Government that a committee consisting of some non-official members of this Council and some officials be appointed to consider and report what amendments are necessary in the Bengal Local Self-Government Act of 1885, and the Bengal Village Self-Government Act, 1919.

Perhaps it will not be seriously disputed that both these Acts require revision. In the last July session Shah Syed Emdadul Haq moved for leave to introduce a Bill to amend the Village Self-Government Act. That motion was withdrawn on the ground that it was proposed to appoint a committee to consider the amendment of the Act. In this session also there are other resolutions for appointment of committees for amendment of the Village Self-Government Act and the Local Self-Government Act.

Though it is about half a century since the introduction of district and local boards and though reports of their working are examined by Government periodically, a comprehensive public inquiry has never been held. Much experience has been gained by the public and the boards themselves as to the defects and weaknesses of the present system and it is time that these should be examined. The recent rule that non-officials should be elected as Chairmen of district and local boards has given rise to some anomalies, which should be removed. Though the Subdivisional Officers are not members of local boards, still they are nominated as members of district boards. They serve no useful purpose. Being unconnected with the local boards, they cannot press their claims or inconveniences. The high cost which the Government have to incur for their travelling expenses, and their absence from their legitimate duties for some days in every month, are both a loss to the State. Moreover, it is incongruous that after giving almost full independence to the district boards, the system of nomination of a large number of officials should continue. Nomination should be resorted to procure proper representation of different communities. The Subdivisional

Magistrates can send their reports or suggestions to the boards through the District Magistrates, and such a system would be more economical and better suited to the progress of self-governing institutions. The system of indirect election for district boards gives rise to objectionable cliques among members of the local boards shortly before the elections. Moreover, when indirect election has been found unsuitable for the Legislative Councils, the Legislative Assembly, and the Council of State it should not continue in the district boards, where the process of direct election would be much easier. It is proper to consider whether communal representation is preferable to the present system, which gives rise to communal groupings in the boards. It is very frequent that members of local boards combine in all matters only on the basis of communal feelings. Nothing can be more inimical to the growth of the spirit of citizenship than this communal feeling in the every-day walks of life. The Minister in charge has devoted a glorious life in attempting to inculcate proper ideas of citizenship among his countrymen, and we look up to him to remove the canker that is eating into it.

The local boards and union committees do not offer much scope for responsible work to the members. The system of carrying on the administration with the help of periodical doles from the district boards, is not likely to infuse much zeal in the workers. It is proper to examine whether they should be given higher powers, or should be abolished altogether, now that the union boards have been established

The establishment of union boards, union courts, and benches has given rise to much alarm among the villagers. It cannot be doubted that the ideas of civic duty find their lowest manifestation in this country among village people. They can understand questions relating to caste, religion, and individual trades, but they have very little idea about civil duties. Whatever ideas Indians had on these matters before British rule have been lost through disuse, and the ideas are being realised to a limited degree only recently, and then only by those who form the cream of society. The time seems to be far off when those ideas will filter down to the villagers. At present, party factions rule supreme in villages, and a man will find it very difficult to live in a village without joining one of the factions or creating a faction under his own leadership. Thus we find retired Deputy Magistrates, Professors and Subordinate Judges demoralised considerably after they have lived in villages for some time. Those that are alive to their position find it necessary to create a faction of their own. Among the villagers an intelligent tout is likely to command more influence than an honest, capable man. Among the union boards created from such materials, everything will be subordinated to considerations of party factions. Power to impose taxes will mean to punish men of the opposite faction. Power to enforce sanitary measures will mean power to cut down trees of people of the rival faction. No doubt the village formed the unit of government at a time when the central administration was unstable or when anarchy followed the death

of a King or an Emperor. But then the unit was the village and not a group of villages. People did not feel then that all men are equal and each was satisfied with his own status in life, and the ideas of duty and religion were more effective checks upon oppression than they are now. It is useless to support village self-government on the basis of the history of mediæval ages. When systems of administration are weak and corrupt and when they are liable to occasional collapse, people feel bound to organise themselves for protection against robbers, thieves, and thugs. But if such organisations are formed again, they would be incompatible with the growth of ideas of individual liberty and equality. The depressed classes will never be able to gain the full benefit of British rule if they are surrendered to the mercy of the influential men of the villages. It is really strange that union courts and benches have been given more final authority than the District Magistrates and District Judges, as no appeal lies from their decisions. It is desirable that if these tribunals are to have such wide powers, the trial should in every case, civil or criminal, be by a jury. It is the time to examine how representative institutions may be developed without in any way interfering with the growth of liberty and independence among the people. It is therefore necessary and convenient that all these and similar questions should be considered by one committee, and the task before it will be an important one.

With these few words I place my resolution before the Council.

SHAH SYED EMDADUL HAQ moved, with the permission of the Hon'ble the President, the second portion of the resolution which stood in his name, namely:—

"This Council recommends to the Government that a committee, consisting of one-third official and two-third non-official members, including one or more presidents of union boards among them, be constituted to consider what amendments to the Bengal Village Self-Government Act, 1919, are necessary, with special reference to the amending Bill of 1922 proposed and withdrawn by Shah Syed Emdadul Haq."

The first portion which stood as follows, was, by leave of the Council, withdrawn:—

"This Council recommends to the Government that a committee consisting of nine members, official and non-official, be appointed to consider what amendments are necessary in the Bengal Local Self-Government Act of 1885 and to submit a report."

Shah Syed Emdadul Haq delivered his speech in Bengali, the translation of which is as follows:—

I am confining my observations in regard to the second portion of my resolution, as there are a number of speakers on my first portion.

In this connection I may say that the Hon'ble the President's order came upon me suddenly when I was moving the Village Local Self-Government Bill. It was *hakimki hukum*—the order of the court, and I was forced to sit down. I was, therefore, under the painful necessity of withdrawing the motion. Had I been given a warning before, I would have certainly finished my speech as briefly as possible. I hope, Sir, I will get half an hour's time to-day. But if it is the desire of the Hon'ble the President that I should be brief, I may be informed of it in the first instance.

Although the Village Local Self-Government Act was passed some years ago, the need for the formation of a committee to discuss the various amendments proposed has become essential now. I am a President Panchayat, and as such I have gained a certain amount of experience in matters like these. Hence I have put in notices of resolutions and the motions to amend the Bill. When the feeling of self-government runs rampant in the country, when the Chairmen of district and local boards are invariably non-officials, when every facilities are afforded by the Government to enable us to march onward in the path of self-government, it is mostly undesirable that for a democratic bread we should be given only a stone.

The Village Self-Government Act is based in the main on the system which obtained during Hindu rule. Village associations were formed then. Although that system is no more in vogue here, it obtains in Bombay, Madras, and the Punjab. During the Muhammadan reign, a large measure of success was due to the village panchayati system, though the Hindu system of village associations was abolished. The powers for the realization of rents were never delegated to these panchayats during the Hindu or the Muhammadan reign unless and until the villagers fell into arrears. Who can deny that this Village Self-Government Act is not an improvement on the old Chaukidari Act, but when the old Chaukidari Act has lately been amended by giving more powers to the people, is there any reason why sections 20 and 21 of the Village Self-Government Act should also not be amended accordingly? Should the Government consider the villagers unfit for the exercise of further powers, then I think the people should be controlled by the Chaukidari Act alone, and the existence of the Village Self-Government Act on our Statute Book is quite unnecessary. If, on the other hand, it is the intention of Government to endow us with ample powers for the purpose of local self-government in this country, that should be done thoroughly and without any let or hindrance. The dual control now exercised over the chaukidars by the District Magistrate and the Police should forthwith be done away with.

While the Shah Sahib was recapitulating the provisions of his previous Village Self-Government Bill, Mr. Goode rose to a point of order.

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): May I ask, Sir, if the mover

is in order in recapitulating the provisions of his previous Bill? He is discussing those provisions and is presumably urging them as a reason for the appointment of a committee, but I submit for your orders whether it is necessary to go into those points in so much detail?

Mr. PRESIDENT: I am very much obliged to Mr. Goode for drawing my attention to the matter. The Shah Sahib should not have referred to the previous Bill at all. Further, as the Shah Sahib has exceeded the time allowed to him, I must ask him to resume his seat.

Khan Bahadur Maulvi EMADUDDIN AHMED: With your permission, Sir, I beg to move the following resolution which stands in the name of Rai Abinash Chandra Banerjee Bahadur:—

"This Council recommends to the Government that early steps be taken to pass a short Act amending the Local Self-Government Act in respect of those of its provisions, the amendments of which experience has shown to the Government to be urgent and necessary."

The Local Self-Government Act was passed in the year 1885, *i.e.*, a long time ago; experience has shown, and I think everybody—or at any rate those who are acquainted with the provisions of this Act—will admit that some changes in it are necessary. I know it for certain that our Hon'ble the Minister is also sympathetic in this respect and he has often given us an assurance that he would take the Act into consideration very soon. What this resolution aims at is this: the funds of the district boards are not elastic enough to take up large measures of improvement; Government also feels financial embarrassment; but at the same time the demands of the people have been coming in with urgency and the boards have found it very difficult indeed to meet these demands, unless some sort of assistance is given by Government. We do not wish that the whole Act should be taken into consideration, section by section, and that an elaborate discussion should take place, but we have found, from experience—and I know it for certain also that the Hon'ble the Minister has found it—that some modifications are urgently necessary and we hope that a short Bill will be brought into this Council, in order that something may be done in this direction. I may be permitted to cite a concrete illustration of what I mean. The question of water-supply in rural areas is a most urgent and vital one, but the funds at the disposal of the district boards are not sufficient to meet the demand for water supply. On a previous occasion, I had to say that if only the Rajshahi district board wanted to remove the grievance of water-supply only in such places where it was reported to be very bad, it would require at least Rs. 15,00,000. It was neither possible for Government nor for the district boards to spend this amount. At the same time, we feel that the matter is a very important one and we cannot sit idle and do nothing while our people are dying by hundreds and thousands—the death-rate

is much greater than the birth-rate. We ought, therefore, to devise means in order to see how we can meet this demand. Some of us have suggested a short Act, enabling the district boards—of course it will not be incumbent on every board to do this—to take up this matter, to realise a certain amount of fees from the persons who use the tanks and wells. I may be more precise about this. Supposing we find it difficult to sink a hundred or two hundred wells, what we mean to do is to sink a well at the cost of the district board, but there is no provision in the present Local Self-Government Act to enable us to realise the cost from the people. Therefore, I say that if there is a section to that effect, it will relieve the situation and meet the demand. An ordinary masonry well costs about Rs. 1,000; dividing this sum by 10, we shall be able to realize Rs. 100 in each year and in 10 years we shall be able to realize the whole cost, while the people will have to pay probably not more than Rs 2 per head per annum. In this way, I think we shall be able to go ahead.

We find that there are some provisions in the Municipal Act which might very well be introduced into the Local Self-Government Act. In the case of insanitary ditches or tanks, the district board is powerless to do anything whatsoever, as it can only request the owner of the tank or ditch, which is in an insanitary condition, to improve it. But in the Municipal Act there is a provision under which the owner can be compelled to remove the insanitary condition of the tank or ditch, failing which the municipality itself can take over possession of the tank and retain it until the costs are realized. I submit that a similar provision should be inserted in the Local Self-Government Act.

With regard to jungle clearing, there is no provision in the Local Self-Government Act. We have found from experience that jungle cutting is an important matter which we are at a loss to deal with. Sometimes we make some provision—say Rs. 100 or Rs 200—and ask a villager to cut the jungle, but the next day we find that the jungle has grown again with redoubled vigour. All that we need is a provision which will compel the people to keep it clear. He will once get the funds from the district board, but he will have to see that the land does not relapse into a jungle. There is no doubt that a small provision like this will meet the situation.

The next matter is the question of the veterinary aid. It has been the policy of Government that there should be a veterinary assistant in each subdivision; and some of the district boards have appointed veterinary assistants. In the Rajshahi district board, when diseases broke out among the cattle after the flood, at least a dozen assistants were required, but it is difficult to meet the cost of the medicine; but if you want to employ these veterinary assistants, some means ought to be devised in order to get the price of medicine from the people. Otherwise for lack of funds neither the Government nor the district boards

will be able to do much in this direction. Some provision ought to be made enabling those district boards—this will be an enabling provision —who wish to supply medicine for the cattle, to spend a larger amount than they are able to do at present by realizing fees from the people.

Next comes the question of the metalling of roads. With the advance of civilization the pressing need of the metalling of roads is also being urged upon the district boards and they find it very difficult to resist this pressing claim. Of course the people sometimes come forward and say " we are willing to pay if you give us good roads." It is, however, my personal view—I do not know whether the Hon'ble the Minister will agree with me—that it will be much better to insert an enabling clause, so that district boards can realize a certain amount of taxation from the users of the road; of course this will be an enabling cause and not a compulsory provision.

With regard to the question of water-supply, I may mention that sometimes persons come to district boards and ask for loans in order to clear tanks or excavate them, on condition that if a sum of Rs. 1,000 or Rs. 2,000 be advanced to them, they would pay it back in the course of 5 or 10 years. Under the present provisions, district boards cannot advance any loans to anybody; but if such a provision is made it will indeed be a very salutary one for meeting the question of water-supply. We can advance the money on good security and can realize it in the course of 5 or 10 years and at the same time improve the condition of the water-supply.

There are other points but I do not wish to dilate upon them further. I submit that experience has shown that a short Act dealing with the questions I have mentioned might be brought before the Council for the purpose of eliciting the views of those eminent men who are acquainted with the laws and who have been working these things. It will enable us to move forward and not sit idle. With these few words, I commend this resolution to the acceptance of the Council.

Rai HARENDRANATH CHAUDHURI: I consider myself fortunate that after waiting for nearly a year I have got at last an opportunity to move this resolution. I gave notice of this resolution so early as in last February, and since then it was tabled for discussion at every meeting but for want of time it was never reached. Such deferred hopes probably explain the anxiety of my friends, the Shah Sahib and others, to attempt to introduce an amending Bill. Now that the attempt has been twice defeated, I think there is added justification for moving my resolution which runs as follows:—

" This Council recommends to the Government that a committee, consisting of one-third official and two-thirds non-official members, be constituted to suggest what amendments to the Bengal Village Self-Government Act, 1919, are necessary."

It cannot be said that the Bengal Village Self-Government Act has been a very popular measure and has met with wide approbation. On the contrary, the slow rate of its progress, the determined opposition that its extension has met with in certain quarters, the debate that took place last year at about this time in this very House, to withdraw its application from certain areas, all tend to show that it has not been able to enlist popular sympathy and commend itself to the acceptance of the people. And what does unpopularity of such a measure mean? It means practically its death sentence. For a measure which is designed primarily for the people and their development, which is devised to utilize the common sense, the capacity, and local patriotism of the masses, and which must depend for its success upon the enthusiastic co-operation of the rank and file of the nation is nothing if unpopular, and loses all its value and significance if the people do not take to it kindly. Unpopularity of such a measure must frustrate all its beneficent designs, and must make the beginnings of self-government in villages uncertain and the foundations shaky.

But the Village Self-Government Act has not been an unpopular measure only. In attempting to trace the causes of its unpopularity, at the outset we come upon the fact that so far as self-government is concerned, it has been a retrograde measure altogether. Take, for instance, the question of village watch in connection with that of Village Self-Government. The set-back that it received by Act I of 1892 has not been removed and the Act of 1919 only proceeds on the basis of the amended Act of 1892 and does not even propose to return to the lines of Act VI of 1870. I have got simply to quote the respective sections of the three Acts to illustrate my point.

About the question of the determination of the number and pay of chaukidars, section 11 of Act VI of 1870, says—

> The Panchayat shall determine the number of chaukidars to be employed in a village.

Section 12 of the same Act says—

> The Panchayat shall from time to time determine the monthly salaries of the chaukdiars to be appointed.

Act I of 1892 curtailed all these powers of the Panchayat, Section 7 of Act I of 1892, says—

> The District Magistrate shall determine the number of chaukidars to be employed in a village.

Section 8 of the same Act says—

> The salaries of chaukidars appointed shall be determined by the District Magistrate.

And Act V of 1919 proceeds on that basis. Section 21 of the Act says—

> The number of chaukidars to be employed in a union, the salary to be paid to them, and the cost of their equipment, shall be determined from time to time by the District Magistrate.

Then, again, take the question of the appointment and dismissal of chaukidars. Section 35 of the Act of 1870 says—

The Panchayat shall appoint the persons to be chaukidars under this Act, and may from time to time, with the sanction of the Magistrate, dismiss any such chaukidars.

Section 11 of the Act of 1892 says—

The Panchayat shall, when a vacancy exists, nominate a person to be a chaukidar under this Act and the District Magistrate shall, if satisfied with such nomination, appoint such nominee to be chaukidar.

Section 20, sub-section (*1*) of the present Act accepting this modification says—

The union board shall, when a vacancy exists, nominate a person to be a dafadar or a chaukidar under this Act, the District Magistrate shall, if satisfied with such nomination, appoint such nominee, or if the District Magistrate is not satisfied with such nomination, the District Magistrate shall appoint any person whom he thinks fit, to be a dafadar or a chaukidar.

All powers of appointment and dismissal have thus been given to the District Magistrate. Then, again, sub-section (*2*) of the same section provides—

The District Magistrate or the union board, with the sanction of the District Magistrate, may dismiss any dafadar or chaukidar.

Then, again, take the question of punishment of chaukidars and dafadars for misconduct. Section 38 of the Act of 1870 says—

Every chaukidar who may be guilty of any wilful misconduct in his office or neglect of duty, etc., shall be liable to a fine which shall not exceed the amount of one month's salary.

Section 22 of the present Act says—

Any dafadar or chaukidar who is guilty of any wilful misconduct in his office or neglect of his duty, etc., shall be liable to be punished by the District Magistrate with fine not exceeding the amount of one month's salary or by the union board with fine not exceeding one quarter of a month's salary

Thus it will be seen that although "the theory that the village watch is a municipal institution was definitely adopted after much controversy in 1870, and although Act VI of that year was based on the assumption that the chaukidar was purely a village servant, employed for the protection of the lives and property of the villagers and looking to the village community for the regular payment of the remuneration to which he was entitled," yet "the tendency of later legislation was," as the District Administration Committee says, "in the direction of strengthening the control of the Magistrate and Police over the panchayats and the chaukidars; and, under Act I of 1892, the power of appointing, punishing, and dismissing chaukidars, as well as of determining their numbers and fixing their salaries has been vested in the District Magistrate, who, with the sanction of the

Commissioner, can delegate this power to any Subdivisional Magistrate of the first class, or to the District Superintendent of Police. In practice, the power of fining chaukidars and of appointing and dismissing them, subject to the Magistrate's approval, has in most districts been delegated to the District Superintendent of Police, who alone, as a rule, exercises these powers in Sadar subdivisions, while in outlying subdivisions, the Subdivisional Officers and the District Superintendent of Police has concurrent jurisdiction.

The Indian Police Commission of 1902-03 also deplored the increasing tendency to departmentalize the rural police; and the President system, introduced by Mr. Savage two years later, was designed with the object of freeing the panchayats from police influence and of emphasising the essential character of the chaukidar as a village servant."

But in spite of it, not only the municipal theory of village watch has not been revived, but the Act of 1919 has done a greater injustice by keeping intact all the extra-municipal control of village watch, and at the same time fastening the whole responsibility for its maintenance as well as that for all and sundry rural improvements on the local bodies. Even Mr. Hughes-Buller, the late Inspector-General of Police, had the fairness to recognize that if the village police were removed from the control of the panchayats, they must be paid by the Government. That would have released at least Rs. 60 lakhs annually for village purposes and improvement of rural areas. But while that is not done by the unfair enactment of 1919, it gives a shadowy control of village watch, and yet fastens the whole burden of its upkeep on the starving villages. The District Administration Committee report maintained that it is " essential to effective police work in the villages " that the weakness of the panchayats should be removed and that real effort should be made to improve their position and secure their co-operation, but the Bengal Act of 1919 does nothing in that direction.

Now as regards other matters connected with village self-government, the position of the panchayats or the union boards has been deliberately weakened. Take, for instance, another very important problem, the question of assessment of the union rate. Well, the union board, *i.e.*, all the representatives of the villagers may be quite satisfied with the assessment they make, yet the District Magistrate may of his own motion—mark this—not upon complaint on .. call for the records and revise the assessment and the union board like a good boy, must obey and act up to his orders, and must realize the rates as settled by the District Magistrate—who certainly cannot have more intimate knowledge of the conditions of the villagers—even though the assessment be arbitrary and quite opposed to their conviction and ideas of justice. Compared with this how much more liberal

are the provisions of the Bengal Municipal Act. Section 111-A of Act III of 1884 says:—

If at any time it appears to the local Government on the report of the Commissioner of the Division that the assessment in any municipality is insufficient or inequitable, and if the Commissioners have not appointed an assessor under section 46, the local Government may, by an order in writing, require the Commissioners of such municipality to revise and amend such assessment, or to show cause against such order within a time to be specified therein; and if the Commissioners fail to comply with such order, or if, in the opinion of the local Government, the revised and amended assessment is insufficient or inequitable, the local Government may, by an order in writing, require the Commissioners to appoint an assessor of municipal taxes for such municipality, within a time and for a period to be specified in such order; and such assessor shall exercise all the powers of assessment except under sections 113, 114 and 115, vested by this Act in the Commissioners.

Here we see that the controlling authority is the local Government, and yet so high an authority does not directly interfere with the municipal assessment by its executive officers, but asks the municipal commissioners to revise the assessment themselves, or to appoint an assessor who has to go to the spot, see things for himself, acquaint himself with local conditions and then assess the taxes.

Thus, as Mr. Pargiter and Mr. Duval, observe—

The section (in the Municipal Act) provides a remedy with the minimum of inconvenience and with the greatest regard for the dignity of the Commissioners, and is intended only for cases of unquestionable necessity.

While, therefore, the authors of the Municipal Act have so much consideration for the representatives of the people, and really propose to train them in the methods of self-government, the authors of the Village Self-Government Act have got no such scruples, and suggest only a rough and ready solution and authorize unlimited interference by the executive without proper and adequate safeguard.

Then there is another very important question on which the Act, as at present framed, does not offer a satisfactory solution. Amplifying the scope of section 118-C of the Local Self-Government Act of 1885, the Village Self-Government Act, no doubt, invests the union boards with powers to tax the villagers as much and as often as they could wish, to give effect to their varied programme and to realize their manifold objects, but apart from the almost unlimited powers of new taxation to secure the ways and means, the union boards cannot legitimately claim, as a matter of right, any the least portion of the proceeds of the existing taxes and cesses, and have been made entirely dependent upon the uncertain charity and undefined doles of the district board.

Even the District Administration Committee suggested that the public works cess should go to finance the village unions. They remarked:—

The transfer of the public works cess to district boards provides the means of financing union committees, and removes one of the chief difficulties in the

way of their more extended use that have been experienced in the past. It has been suggested to us that two-thirds or some other proportion of the public works cess might be distributed among all the combined chaukidari and local self-government unions in a district, thus giving each union from Rs. 200 to Rs. 400 annually, a sum sufficient large to effect some appreciable improvement. We have no doubt that, if this or a similar suggestion for financing union committees is adopted, there will be found many committees in every district who, under the guidance of sympathetic officers, will be ready to utilize the powers given to them by section 115 and the following sections of the Local Self-Government Act III of 1885, and to supplement their resources by local assessments made by themselves under section 118-C.

But the authors of the Village Self-Government Act, without making any such definite provision, and simply pinning their faith to section 37, leaves the whole knotty question of financing the union boards as unsolved as ever.

I do not propose to make an exhaustive survery, Sir, of all the defects of the existing Act but such are the vital defects which make the self-government conferred by this Act an absolutely unsubstantial, airy, nothing, and which urgently call for the immediate amendment of the Bengal Village Self-Government Act of 1919. But perhaps, far and away the greater, if not the greatest consideration, urging the amendment of the Village Self-Government Act is the very first principle laid down by the illustrious authors of the Reforms. At page 123 of the Report on Indian Constitutional Reforms they say—

> There should be, as far as possible, complete popular control in local bodies and the largest [illegible] independence for them of outside control.

I ask the Government to look to the provisions of the Act in question and say if these satisfy this great principle. My submission is that tested by such a principle, the provisions will be found wanting and hence I venture to commend such a resolution to the acceptance of this House.

Babu INDU BHUSHAN DUTTA: I move that this Council recommends to the Government that a committee of official and non-official members of this Council, with a non-official majority, be appointed to suggest necessary amendments to the Bengal Village Self-Government Act, 1919.

My resolution is almost the same, as has been moved by Rai Harendranath Chaudhuri, with this difference, that I give the Hon'ble the Minister more latitude in the selection of the proportion of the members for the committee. There are two legislative enactments in Bengal, dealing primarily with the unit of our village organizations, the old Chaukidari Act and the Village Self-Government Act of 1919. The latter was ushered into existence with a great deal of flourish, as laying the true foundation of self-government, but like many an artificial measure of Reforms, it has fallen flat on the country. There was quite a hope that it might be extended to all the districts of

Bengal, but, so far, it has failed to appeal to the people. And there is nothing to be wondered at that. The very preamble of the Act, was against its success. The preamble says—

Whereas it is expedient to develop self-government in the rural areas of Bengal etc. etc.

When the development of self-government is regarded as an expedident, it is bound to fail. Expediency may be made to cover a multitude of political sins, but when it is made to cover self-government also, what can you expect? There is nothing expedient about true self-government. It may be expedient to boycott the Councils or not, but true development of self-government or *swaraj* is no expedient. It is the birth-right of the people. Unless this birth-right is recognized, no amount of expedient Acts will develop self-government. As in the preamble, so in the various sections of the Act itself, a futile attempt has been made to effort a compromise between the stern and eternal rigidity of the steel frame of the Civil Service and the true aspirations of the people. This attempt between a desire to keep the real power in the hands of the bureaucracy and to make a show of giving self-government can never succeed. It has failed in the dyarchy—it was bound to fail, and it has failed here also. The Government has been obliged to admit that it has failed. When this Act was introduced, Government hoped that it might be extended to all the districts of Bengal. But this hope has been naturally frustrated. The consequence is that the old Chaukidari Act has remained in force in many of the districts of Bengal. Indeed, the Government had so little hope of the future prospect of the Village Self-Government Act being extended, that they hastened to amend the Chaukidari Act in July last. In spite of strenuous Government opposition, this Council has been able to amend the Chaukidari Act in accordance with the salutary principle of giving the real power in the hands of the panchayat. The Council has been able to insist that the people, who pay the money, must have the real power—no sham power under the eternal tutelage of the District Magistrate. Now that the old antediluvian Chaukidari Act has been changed according to this new mentality of the people, it would be anomalous and absurd to keep the Village Self-Government Act in its old stiff frame. It must be amended in such manner that the people may have some real power. You cannot keep a nation in eternal leading strings. If you really mean that the people should get true *swaraj*, and not a sham *raj* of bureaucratic potency, the true beginning must be made at the village, the real centre of the people's lives. The importance of real village self-government in a country, where 90 per cent. of the people live in villages cannot be over-rated.

Let us look at some of the existing sections of this Act. Take, for example, sections 20 and 21. The appointment or dismissal of dafadars and chaukidars, their numbers and salaries are all in the hands

of the Magistrate. The union board will raise the money for their salaries, but the Magistrate must decide their number and salary. Can anything be more ridiculous? This Council has changed all this in the Chaukidari Act. If this Council is to act logically it must amend the Village Self-Government Act accordingly. There is no other alternative. Then, again, let us look at section 23 defining the powers and duties of dafadars and chaukidars. Now, these people have to serve two masters—the police and the union board. We know very well that no one can serve two masters—not even a village chaukidar. But here, in rural Bengal, the chaukidar has to perform this remarkable task. This must be changed. Then let us take section 37. This is the financial rock, against which many a union board has broken or is likely to break to pieces. It would take me a long time to discuss this and the following sections, which have caused the failure and unpopularity of many a union board. I shall try to place my views before the committee, when appointed, but I can assure this Council that unless these sections are amended, we must give up all hope for its success. There are several other important sections that need amendment, and I put it to the Council that if it wants that self-government should be really developed in the country, this most important Act must be amended according to the change of mentality that has taken place in the country during the last three years. There is no going back. There is no question of whether the people are fit. Taking for granted the bureaucratic argument that the people are not fit, I say—"you cannot learn to swim unless you get into the water." I say, that people are fit enough to run village self-government. If you tie their hands, how can they show that they can work? Give them ample scope and see what they can do.

With the amendment of the Village Self-Government Act, the Local Self-Government Act of 1885 must also be amended. That has become hopelessly out of date. I am glad that my friend, Babu Bhismadev Das has brought up the matter. I accord my full support to his resolution.

I am glad to find that the Hon'ble the Minister, in accordance with the change of mentality of the nation, has taken up the huge task of amending the Calcutta Municipal Act. I think, Sir, what is sauce for the goose is also sauce for the gander. What the Calcutta people can expect from the Reforms, 90 per cent. of the people of Bengal who live in the mufassal, may also expect from the Hon'ble the Minister. Before sitting down, I most earnestly appeal to the Hon'ble the Minister that what he has been pleased to do for Calcutta, he may be pleased to do for the mufassal. This is but fair and just.

Mr. S. W. GOODE: Government recognize, from the various resolutions, which the members of this Council from time to time have

desired to move, that there is a demand to some extent for the amendment of the Village Self-Government Act. We do not at all admit that the Act has failed by reason of any inherent defects. The last speaker and various other speakers, who have preceded me, have taken the extraordinary attitude that certain minor defects of the Village Self-Government Act have had the effect of rendering it unpopular among the masses. I ask this House whether that is a position which can for a moment be accepted. Can it be believed that the ordinary cultivator takes the slightest interest in the various sections which are comprised within that Act? It is the principle and the basis of the Act with which he is most concerned. Now the basis and the principle of this Act was an honest attempt on the part of Government to revive the old system of village self-government and to give villagers a real and substantial part in the management of their own affairs. No one can deny—I defy any of the speakers who preceded me to prove it in any way—that there is anything in the basis of that Act which is not a real attempt to give self-government in the villages. They may say that there are minor defects in it, such as that the District Magistrates have been given too much power and that the hands of the panchayats are tied; they may make minor suggestions and changes in that Act but the basic principle of the Act they cannot deny, and I suggest that it is absurd for members to contend seriously that the failure of this Act to win its way in the villages of Bengal is due to the defects against which their criticism is directed. They know very well that the failure is largely due to the non-co-operation agitation. Government has done all in its power to encourage the district boards to apply for the extension of the Act, but we have been hopelessly handicapped by other political influences, and if the Act has failed I submit it was due to no inherent demerits of the Act but that it was due to political influences, for which Government is in no way responsible. I admit that there may be minor changes which are desirable. It is evident from the speeches which have been made that many members take that view and Government have no objection to any defects of that Act being remedied. But I would point out that it is surely a cumbrous and unnecessary method to appoint a committee for that purpose. This House two days ago summarily threw out a Bill which the Shah Sahib wished to introduce proposing some minor amendments of the Act. This House will shortly consider another Bill somewhat on the same lines which Mr. Bijoyprosad Singh Roy proposes to introduce. We have applied to the Government of India for sanction to introduce that Bill. During the second reading of the Bill members will have ample opportunity of stating their views on the underlying principles of the Act. It is therefore absolutely unnecessary now to waste the time of members of this House and of Government officers (who will have to assist the committee) by appointing a committee for the sole purpose of suggesting

such amendments in this particular Act. I would go a little further. It is hardly the work of the Legislative Council to take up an Act and consider how it should be amended. It is their business to legislate and for a private member to initiate legislation, if need be. I do not think it is ordinarily a part of their duties to criticise an Act and generally to make proposals for its amendments.

As regards the Local Self-Government Act, the case of Government is even stronger. Government has recognised for years that the Local Self-Government Act is out of date and that it is essential that changes should be made in it. (Hear, hear.) But we are limited in our resources and in the staff which we have. It is impossible for the Legislative Department, which has its hands already full with important Acts, such as the Calcutta Municipal Bill and the Bengal Municipal Bill, to undertake a Bill of this magnitude immediately. It is unlikely also that we should be able to draft a new Local Self-Government Bill, which would adequately cover the grounds of local administration within 400 to 500 sections and that is a work of many months. I submit that a committee sitting to make general suggestions to Government for the framing of such a Bill would achieve very little useful work. We have a large mass of material already available in the Secretariat. We would have to digest that material before we could produce a draft, which will ultimately have to be circulated to local bodies and members of this Council for opinion. I would ask members to give us time as our hands are at present quite full with these two important Bills which are now pending. If a committee is appointed, I presume it will be my unhappy duty to lay the enormous mass of materials collected before the committee and it will be my task to collate and sift that material in order that members may be in a position to make definite proposals to Government. Well, Sir, I can promise on behalf of the Hon'ble the Minister that we are just as anxious as they are to produce this Local Self-Government Bill as early as possible. We had hoped in fact that a draft might be in the hands of the Legislative Department and it might have been circulated to local bodies for opinion by the end of this year. But the Bengal Municipal Bill has proved to be a much larger measure than we had anticipated. It has over 500 sections with several important schedules and it has been impossible for us to scamp or hurry that work. I would urge members to pause before they decide to overburden this department with additional work by the appointment of this committee.

To the members who have suggested that the Village Self-Government Act still keeps the villagers in tutelage, may I give an assurance from Government that when the Bill proposed by Mr. Bijoyprosad Singh Roy comes before this House it will be seen that Government has no desire to burke the most thorough discussion of any point that may be raised.

As regards the Local Self-Government Act it has been suggested by members that we should have a very short amending Bill to take up the most urgent sections in the Act. The Hon'ble the Minister entirely approves of some urgent legislation of the Act being undertaken, and I understand he will make some proposals to the House on that point. But there again I would ask for time. Government will be probably prepared to undertake that; pending preparation of a large amending Bill we will prepare a short Bill covering a few of the sections which are in most urgent need of amendment, but anything further, I think, would be impossible for Government to do. I hope therefore that members will not be misled by the appeals which have been made by Babu Indu Bhushan Dutta, but they will recognize the facts of the case and realize that Government is anxious to meet their wishes in the matter as soon as possible. I would strongly oppose the proposal to appoint a committee for this purpose.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Mr. Goode as usual has spoken very strongly and sympathetically. But what we desire in this: He and the Hon'ble the Minister should be willing to bring in a short amending Act. In this connection why should not he consult as many members as desire to speak to him before embodying the changes which he intends to do? Is it not much better that he should consult the members of this Council beforehand? If that is done I have no doubt this proposal for a committee would be dropped. All that we require is that he should informally, as he did in the case of the Municipal Bill, consult us. Now, Sir, if that is done, I have no doubt that all these resolutions to appoint a committee will be dropped. There is one matter which I now want to press upon the Hon'ble the Minister. Since yesterday I have been pressed with a very great burden upon my mind. We have been here for two years and there is only one year left of our existence. What have we done for the country? And the reason is this: that we have got no money? How are we to go before our constituency next year and with what record? The only thing that we have done is medical relief and something about drinking water. Even then I got a complaint yesterday that we have got no money. Now money can surely be raised.

Mr. PRESIDENT: I would draw your attention to the fact that we are discussing the proposal to appoint a committee to amend the Bengal Local Self-Government and the Village Self-Government Acts. We are not discussing any financial proposal. I hope you will understand that.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Yes, I understand it. Now what I desire to say is that money must be found and unless you amend the Road and Public Works Cess Act and the Local Self-Government Act we shall never agree to any taxation. Further it is

necessary that you should amend the Local Self-Government Act and the Road Cess Act in a manner in which it may be acceptable to the people that they will be willing to pay taxes.

Khan Bahadur Maulvi WASIMUDDIN AHMED: It is only the wearer who knows where the shoe pinches and I, as chairman of a district board in Bengal, know very well under what disadvantages we have been working for the last few years under the present Act The Chairmen of the district boards are quite handicapped and they cannot cope with the new demands that are being made on their resources. Recently the motor vehicles have made considerable progress of extension in the mufassal and we know that mufassal roads are only intended for bullock cart traffic, which cannot weigh more than 20 maunds and these 20 maunds are distributed over 10 points—I mean two wheels and eight feet of the bullocks, whereas motor vehicles weigh two tons and the district board roads are damaged. In order to remedy this my worthy friend, Raja Manilall Singh Roy brought up a resolution towards the beginning of this year for amending the law by framing some rules under the Motor Vehicles Act. At that time the Hon'ble the Minister gave an assurance that under the present law he is not competent to frame any rules but that he would bring forward an amendment under the Local Self-Government Act so as to empower the district boards to deal with motor vehicles in the mufassal. We have been waiting and waiting for that legislation and we do not know how to deal with these motor vehicles. Motor vehicles are divided under the rules into two classes: heavy and light. Vehicles over two tons are considered as heavy and less than two tons light. Now the district board roads are not meant for these motor vehicles or taxis, however light they may be; but the district boards have no power to stop them. In my district there is a *pucca* road from Ishurdi station to Pabna meant for bullock carts but all sorts of motor vehicles are running on that road and the district board has not funds enough to repair it. As soon as it is once repaired it is damaged again by the use of the motor cars. This year I have been told that the contractors cannot go on with the work unless the running of motor cars is stopped, but the district board has no power to deal with this. If it is not possible to revise the rules under the Motor Vehicles Act it is possible to give some powers to the chairmen of the district boards by an amendment of the Local Self-Government Act in regard to the control of these motor vehicles. My friend Khan Bahadur Maulvi Emaduddin Ahmed, has referred to another difficulty as to realizing cost for masonry wells. There are fair-weather tracks in the mufassal and they are meant for wheeled traffic, but in these tracts there are some narrow channels which get muddy during the rainy season and the cartmen have to spend Rs. 2 or Rs. 3 in order to extricate their carts. The district boards under section 86

of the Local Self-Government Act had been given the power to levy tolls for making causeways or Irish bridges over these channels; the cartmen then will gladly pay a few annas in order to save their carts from falling into the mud and the district boards will have some money towards the construction and the upkeep of the bridges. The bridges interfere with the boat traffic and we may easily have causeways instead of bridges. Then, again, my friend has referred to section 200 of the Bengal Municipal Act. So far back as 1911 there was a committee about the sanitation in mufassal areas, where I made a suggestion that section 200 should be incorporated in the Local Self-Government Act, so as to give power to the district boards to deal with insanitary *dobas*. This question came up before the district boards' conference and Mr. O'Malley pointed out to me that some portion of this section was incorporated in the Village Self-Government Act, but some anomaly has arisen in this connection. In the Village Self-Government Act power has been given to ask a owner to improve or remove the nuisance, but that power has not been given to the village unions to do the work itself and then to realize the cost. I need not dilate upon this point. It is well-known to Government. Mr. Goode has raised the question that he is overworked. I sympathise with him but at the same time he must look at our condition. We have been suffering these two years and we cannot be made to suffer any more. Is it not possible to appoint a small committee to draft a small Bill so that the immediate necessities of the district board can be met? We require some important amendments in the Act. A small Bill consisting of ten sections would do. In the case of the Secretary being overworked the Hon'ble the Minister may appoint a small committee consisting of two or three members, among whom my friend, Khan Bahadur Maulvi Emaduddin Ahmed, may be one to draft this Bill. We have been waiting and waiting for long. When I say these things, I think, I reproduce the views of all the chairmen of district boards, and with all the emphasis that I can command I submit that this amendment should be taken up at once. Whether it is taken up by Government or a committee, I have no objection. The thing is wanted, not the committee. I attach importance to the work and not to the personnel.

Mr. D. C. GHOSE: I only desire to put a question to the Hon'ble the Minister. Will the Hon'ble the Minister see his way to invite all the district boards of Bengal without delay to submit their suggestions regarding the amendment of the Local Self-Government Act? Their suggestions will, I think, be very useful to Government in framing the amending legislation.

Rai RADHA CHARAN PAL Bahadur: I must say that the speeches that have been delivered by my friends from the mufassal have considerably influenced their colleagues residing in Calcutta.

When I remember that the Bengal Village Self-Government Act was the product of the memorable resolution of Lord Ripon in 1883, and when I remember that the Act was introduced in the shape of a Bill by Colman Macaulay in 1885 and has been in existence during the last 37 years without any amendment, I think, Sir, that very fact shows that a strong case has been made out for an amendment to bring it into harmony with present conditions. That Act, as has been admitted from the Government bench, is now out of date. Though it was enacted as long ago as 37 years, the Act has gone on without any attention being paid to it either by Government or by the Legislature. The Bengal Legislative Council itself has undergone constitutional changes not less than four times during that period, but the Bengal Village Self-Government Act still retains the shape in which it was passed in 1885.

The proposals, the concrete proposals, that have been put forward in the resolutions have appealed to us. The villages want to improve their sanitary condition; they want to improve the water-supply, but they have not got the necessary power in the matter. That point has been admirably dealt with by my friend, Khan Bahadur Maulvi Emaduddin Ahmed, and I am of opinion that no time should be lost in introducing a short amending Bill in order to give some immediate relief to the village community of Bengal. With reference to some of the observations that have fallen from Mr. Goode in regard to the Bengal Village Self-Government Act, although I recognise, as he says, that there is every desire on the part of the Hon'ble the Minister to give the benefit of the Reforms to the people, I must disagree with him when he says that the Act is not unpopular with the masses and that the mass do not care whether the real power is vested in the body of the people who represent them or in the Magistracy which overrule them. It is quite true that a semblance of representative constitution has been granted to the village community in the shape of the Village Self-Government Act, but they are given the power only to collect money; the right to spend it is practically in the hands of the Magistrate-Collector of the district. He is the master of the situation. His command must be obeyed, and if it is not obeyed, he can overrule them. I think that is still the position in the Reformed Government under which we are now living, and I am sure that if there is any one who is anxious to do away with this anachronism so far as the villages at least are concerned, it is the Hon'ble Sir Surendra Nath Banerjea, who is in the happy position of being Minister in charge of the Department of Local Self-Government. I am sure that in view of the defects of the Act that have been so vividly portrayed here to-day, the Hon'ble the Minister will give his attention to the matter and lose no time in remedying them.

On the question whether a committee should be appointed or not His Excellency the Governor has given his general direction. We have got a standing committee—an advisory committee attached to

every department of Government to scrutinize the affairs of the department and make recommendations. If any consultation is necessary in an informal or official way, or if any discussion of any proposals which the Government propose to introduce before the Legislative Council is necessary, why should not advantage be taken of these standing committees? Why should not they be utilized for the purpose, I fail to understand. If we are to appoint a separate committee on every question, it would be an impossible thing. It would not only add to the cost, but it would also, I believe, throw an amount of labour on Government officials which they would not be able to cope with. I think when we have got the standing committees, they should be utilized for this purpose.

The suggestion that fell from Mr. D. C. Ghose was my idea as well, and it remains for the Hon'ble the Minister now to call a conference of chairmen of district boards on this important matter. I think, Sir, that more good will result from such a conference than from a committee which it will take some time to appoint, and go through all the formality and expense.

Babu TANKANATH CHAUDHURI: I am not much in favour of the appointment of committees. Committees are generally meant to shelve matters, but we want something real. The Local Self-Government Act was passed in 1885. It is nearly 37 years old, and it now requires some change. In those days there were official chairmen and the difficulties of the district boards were far less than what the non-official chairmen are experiencing in managing the affairs of the district boards. Only a few minutes ago we heard the Chairman of the Pabna District Board, a veteran pleader of that place, who tried to answer all the issues in regard to the difficulties of the Act; so I need not dilate on that question. I would only suggest that the earlier a short Act is introduced, the better would it be for the country. As regards the Village Self-Government Act, I would like to say that this Act was passed only three years back. It has not been given a fair trial yet. Mr. Goode said that an attempt was made in the Act to revive the village institutions of the past. We all know that in the good old days of the Hindus—as a Hindu I must say that those days were very good—villagers were allowed freedom of action in the affairs of their own villages. But, fortunately or unfortunately, days have changed, and the good English Government have thought it fit to revive the institutions of the past which worked admirably in those days. I must admit that in the Village Self-Government Act there are many things wanting, things which are of vital importance to the working of the village community. In the old days the Kings had no power to nominate any member to the village committees; the members were elected by the villagers themselves. But in the Village Self-Government Act that was passed, Government had taken to themselves the

power of appointing some of the members. Time will show whether the Village Self-Government Act is an improvement upon the form of village Government that was in vogue in the days of the Hindus. We shall discuss those points later on. For the present, I think that the appointment of a committee will do no good, and with these few words I support the resolution that originally stood in the name of Rai Abinash Chandra Banerjee Bahadur, but which has been so ably moved by my friend, Khan Bahadur Maulvi Emaduddin Ahmed.

Rai MAHENDRA CHANDRA MITRA Bahadur: I desire to add a few observations on the discussion. Being associated with the district board, union boards, and municipalities for a very long time, I have watched how the several Acts are working. When the Village Self-Government Act was passed, I was very enthusiastic and I lent all my support to it, but in the practical working of the Act we have found a difficulty especially with regard to funds. You will notice that there is a special chapter in the Village Self-Government Act as regards funds. The funds are confined only to annual taxes on the owners or occupiers of buildings within the limit. Besides, the district boards are authorised to allow grants to the unions, but as a matter of fact, those contributions are very small. I know with regard to a neighbouring district board the contribution was about Rs. 100 and odd. Practically, therefore there is no working of the Act worth the name in the union boards. It is necessary, therefore, that the funds should be increased, and how can that be done? If you want to tax the people, there will be a strong opposition. They are accustomed to pay small sums of money, and now if you demand more money, there is an opposition. Consequently, it is necessary that great care and attention should be paid for the acquisition of money for the purpose of the working of the Village Self-Government Act.

Now, again, there was a hot discussion as to the appropriation of the road cess. The district boards are unable to pay large contributions to the unions, and, therefore, the unions are in a very difficult position. Whatever amount is now realized by the union committee is spent towards the payment of establishment charges. The result is that there is no proper water-supply; nothing of the kind. If you wish to have tube-wells, there is the practical difficulty. Therefore, it is a matter of deep regret that the Act is not working well. There is another fresh difficulty, and that is on account of the provisions in the Bengal Local Self-Government Act which also demands scrutiny and close examination. If, therefore, the Council want to alter or modify the sections of the Village Self-Government Act, they ought at the same time to alter or modify the provisions of the Local Self-Government Act; they must all go together. In addition to that, there is another small Act, namely, the Chaukidari Act which again demands consideration and modification. Therefore, if a committee be appointed solely for the purpose of modifying the several sections and provisions of the Village

Self-Government Act, that will not answer the purpose. It is necessary to take the other Acts into consideration, and the committee should go thoroughly into all the provisions of these Acts, but it will take a very long time as it is not a very easy task. References will have to be made, and conferences are to be held with the presidents of the union committees and chairmen of district boards: that will require a considerable time. It is necessary, therefore, that there should be a conference on the subject, and as our Hon'ble the Minister is very keen on the matter, I expect much from him. I therefore submit that a conference of the parties concerned in the matter be held first and then the question of appointing a committee may be discussed. At present the appointment of a committee will be a premature one.

Maulvi MAHAMMED MADASSUR HUSSAIN: I find from the agenda paper that there are five resolutions dealing with the amendment of the Bengal Village Self-Government Act as well as the Local Self-Government Act. Some of these resolutions want a committee to be appointed to amend these Acts; and another, which has been moved by my friend, Khan Bahadur Maulvi Emaduddin Ahmed, wants that an immediate short amending Act should be passed. The question before the Council is, therefore, whether we should appoint a committee or pass a short amending Act. The views of the chairmen of district boards have been enunciated by my friends, Khan Bahadur Maulvi Wasimuddin Ahmed and Babu Tankanath Chaudhuri, and other members of district boards, but nobody has yet presented the views of the rural people. I, Sir, rise to represent the views of the rural people with regard to the amendment of the Bengal Village Self-Government Act. In this respect I am of opinion that the principle on which the Village Self-Government Act is based is too bad and it should be repealed and recast at once. Unless this is done, the Village Self-Government Act is a mockery and no good can be had out of it. My reasons for attacking the Act are enough. May I ask, Sir, as to why this Act was enacted and placed in the Statute Book? Evidently for the reconstruction of the villages. If the reconstruction of the village is not possible under the Act, it ought surely to be taken away from the Statute Book. The provisions of the Village Chaukidari Act have been incorporated in the Village Self-Government Act. From time immemorial, from the time when the Muhammadans were in power, the chaukidars used to be maintained by assignment of land by the State, that is to say, part of the land of the country was set apart for the maintenance of the chaukidars and these lands were known as chaukidari chakran lands. The chaukidars used to guard the villagers and used to do all the duty that is done by the present-day chaukidars with this difference that they used to enjoy land set apart for their maintenance rent-free in lieu of wages. During the days of Muhammadan rule, the zamindars were mere collectors of revenue, and they were also charged with the maintenance of peace in their respective localities. Therefore, the land that was set

apart for the maintenance of the chaukidars was the land of the State I mean of the Sovereign Power, and not of the zamindars who simply administered them on behalf of the Moghul Emperor. Therefore, it is quite clear on a reading of the history as well as the economic condition of the country that chaukidars used to be maintained by the State and they enjoyed these lands rent-free in exchange for their services in guarding the villages. The villages were administered by the zamindars as agents of the sovereign power and not by virtue of their proprietary right. Subsequently the decennial settlement came, which was converted into the Permanent Settlement. Under the former assessment that was in vogue in the days of the Muhammadans the zamindars——

Mr. PRESIDENT: I am not quite sure how far your discussion of the chaukidari land question is relevant to the resolution under discussion. Perhaps you might come to the more relevant part and conclude.

Maulvi MAHAMMED MADASSUR HUSSAIN: I mean to say, Sir, that the chaukidari land belonged to the State and not to the zamindars. In an evil moment the zamindars thought that because they administered the land, half of it belonged to them and half to the State. They confiscated the chaukdari land, and it so came about that the people were burdened with the maintenance charge of the chaukidars. This is the Chaukidari Act. The land was taken away from them and made over to the zamindars, and a certain nominal rent was reserved for payment to the chaukidari fund and the zamindars enjoyed the rest. Not only that; they also made an annual profit out of the chaukidari land; for while they took the land from Government at a nominal rent, they settled the land with the people at a rack-rent—

Mr. PRESIDENT: Will you kindly bring this part of your speech to a conclusion if you do not mind, Maulvi Sahib? If you continue to speak in this way on the chaukidars, I am afraid it will not be over even by Christmas!

Maulvi MAHAMMED MADASSUR HUSSAIN: My point is that the Act should be amended in such a way that the land that has been wrongfully alienated from the chaukidars should be restored to them and made over to the union boards for the maintenance of the chaukidars. If that is not done, it is simply useless to draw up a constitution for the village. Sir, the villagers are poor and over head and ears in debt. They are unable to pay more taxes——

Mr. PRESIDENT: You have not yet come to the point. Just a few sentences more and please conclude. We have heard very little in your speech about the Village Self-Government Act. The whole of your speech is full of references to the chaukidari chákran lands.

Maulvi MAHAMMED MADASSUR HUSSAIN: I beg to submit that the zamindars should be expropriated and the chaukidari land should be vested in the union boards so that the revenue may be set free and used for the reconstruction of the villages. Unless the zamindars make a little sacrifice, it is idle to expect any good results from the Village Self-Government Act.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): I feel I must congratulate the House on the zeal and enthusiasm with which they have discussed this question. It shows the abiding interest of the Bengal Legislative Council in the question of Local Self-Government upon which indeed the whole fabric of self-government in a larger measure may be said to rest. Before I proceed to refer to some of the points raised, I desire to clear my ground and to indicate what Government is prepared to do in connection with the proposals which have been laid before the Council. I say at once that I, on behalf of Government, accept the resolution of Rai Abinash Chandra Banerjee Bahadur, which has been moved by my friend, the Chairman of the Rajshahi District Board. I have felt and I have often expressed the view that a short amending Act should be passed in order to vest in the district boards powers in regard to those urgent matters which experience has shown to be necessary. My friend has referred to some of those matters and I need not dwell upon them. We are, therefore, prepared to circularise the district boards at once and obtain their views with regard to those sections which they consider should be amended by a short Act. Having got their views, Government proposes to convene a conference of the chairmen and representatives of district boards and of such members of this Council as feel interested in these questions. I think, Sir, that ought to satisfy my friends with regard to the attitude and the action of Government in relation to the question of the Local Self-Government Act. I quite admit that the Act is old, obsolete, and antiquated, and you may heap other terms of disparagement if you like. Government recognizes that, and is anxious to do what lies in its power, but Government also recognizes this that it would be impossible within the limitations of time which are at the present moment at the disposal of Government to deal with the larger measure of a new Local Self-Government Bill which would comprise several hundred sections. Therefore, in order to afford —I would not use the word "immediate" but early relief to the various district boards, Government propose to introduce a short Act after having obtained the views of the various district boards and after having convened a conference for the purpose of discussing them, in association with the members of the Council who feel interested in the matter. Well, Sir, that disposes of the question of the Local Self-Government Act.

The question of the Village Self-Government Act, however, rests upon a somewhat different footing. You will have noticed that in this Council

notes of dissent have been uttered with regard to the proposal for the immediate amendment of the Village Self-Government Act. My friend, Babu Tankanath Chaudhuri, who is the Chairman of the Dinajpur District Board, says that it is premature to deal with that Act, the Act having been placed on the Statute Book only so recently as 1919. I understand, although I was not present at the time, that my friend, Rai Mahendra Chandra Mitra Bahadur, also raised the same point. Therefore, Sir, having regard to the opinion prevalent in this Council, I am entitled to hold that there is a division of opinion as to the immediate urgency of amending the Village Self-Government Act. I will not say that it is a perfect Act—I recognize its defects and perhaps mistakes have been committed in its administration. All that is admitted, but it is not as urgent as the amendment of the Bengal Local Self-Government Act and we must take each in its proper time. Therefore, my idea is that when this conference meets, dealing with the question of the amendment of the Local Self-Government Act, it will be my duty to place before the conference the proposal as to whether they deem that any amendment of the Village Self-Government Act should be introduced. There is also a further consideration which this Council ought to bear in mind. Members will have an opportunity of discussing the Village Self-Government Act at no distant date. My friend, Mr. Goode, has reminded the House that a Bill is at the present moment pending before the Government of India, *viz.*, Mr. Bijoyprosad Singh Roy's Bill, amending the Village Self-Government Act. The Government—I am speaking on its behalf—will not raise any objection to the introduction of that Bill in this House. Thus, members will have the amplest opportunity of discussing the principles of that Bill and the provisions of the Village Self-Government Act when the motion is made for the appointment of a select committee. Therefore, Sir, there is no need for these committees. So far as the Village Self-Government Act is concerned, this Council, and every member of this Council, will have the fullest opportunity of discussing every details of that Act and the principles underlying it.

One word more. I desire to point out the position of the Government in regard to this matter. I say these committees, which it is proposed to appoint, would be absolutely infructuous. Our hands are now full up. We have got the Calcutta Municipal Bill, which is before the Select Committee, and the Select Committee will soon submit its report. I propose to lay before the Council the report of the Select Committee for consideration some time in February, and if the Council will allow it, I hope to place this Bill on the Statute Book before the end of this session. Then, Sir, we have got this tremendous business—it is the draft Bengal Municipal Bill which I propose to introduce in February. Therefore, we have got the Calcutta Municipal Bill, we are going to have the Bengal Municipal Bill, and our life—the life-time of this Council—extends to 1923 and no more. How can you have another

Bill in 1923? If you appoint these committees, and if these committees make their recommendations and if we have Bills as the result of these recommendations, where is the time for this Council to consider them? The Council will be dissolved, the Bills will lapse, your labour will have been wasted, your time will have been spent for nothing, the whole work will have to be recommenced when the new Council meets. Are you to indulge in this futile and infructuous waste of time? Therefore, I ask the House not to vote for any committee at all. It would be quite useless. I hope and trust that my friends, after the explanation I have given, will withdraw their motions, Government having accepted the motion of Rai Abinash Chandra Banerjee Bahadur.

Babu BHISMADEV DAS: After hearing the Hon'ble the Minister, I beg to withdraw my resolution.

The motion was then, by leave of the Council, withdrawn.

The following motion standing in the name of Rai Abinash Chandra Banerjee Bahadur was then put and agreed to:—

"This Council recommends to the Government that early steps be taken to pass a short Act amending the Local Self-Government Act in respect of those of its provisions the amendments of which experience has shown to the Government to be urgent and necessary."

Rai HARENDRANATH CHAUDHURI: May I ask one question of the Hon'ble the Minister? In view of the fact that when Shah Syed Emdadul Haq moved for the introduction of his Bill, the Hon'ble the Minister was pleased to state that he would not oppose the introduction of the Bill but that it would be the duty of Government to oppose it at a later stage, may I ask whether the same fate will not overtake Mr. Bijoyprosad Singh Roy's Bill?

The Hon'ble Sir SURENDRA NATH BANERJEA: Government retains a free hand. It all depends on the provisions of the Bill.

The resolution standing in the name of Rai Harendranath Chaudhuri was then put and lost.

Adjournment.

The Council was then adjourned till 3 P.M. on Monday, the 27th November, 1922, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 27th November, 1922, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, two Hon'ble Ministers (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur, being absent), and 93 nominated and elected members.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): Members are reminded that the balloting for the Select Committee for the amendment of the Standing Orders will be held in the Town Hall to-morrow, between 1-45 and 2-45 P.M.

Starred Questions

(to which oral answers were given).

Pabna jail morgue.

***XLIV. SHAH SYED EMDADUL HAQ:** (*a*) With reference to the answers to starred question No. LXXIII put by Babu Kishori Mohan Chaudhuri on the 31st August, 1922, will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether there is any jail morgue at Pabna?

(*b*) If so, where is the same situated?

(*c*) With reference to the answer to clause (*i*) of the question, will the Hon'ble the Member be pleased to state whether he is aware that the Congress Committee has no objection to receive the dead bodies of persons of an untouchable class?

(*d*) Is the Hon'ble the Member aware that there is a branch of Social Service League at Pabna, patronised by the local officials?

(*e*) If so, what are the reasons, if any, for not approaching the Social Service League for the disposal of such dead bodies?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes.

(*b*) The morgue is situated at a distance of about 300 yards from the jail.

(*c*) (*d*) and (*e*) No; I was not aware of these facts, but the attention of the Superintendent of the Pabna Jail is being invited to the information now given.

North Bengal flood.

***XLV. Dr. JATINDRA NATH MOITRA:** Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the normal rainfall in North Bengal taking the average of the last fifty years;

(*ii*) the particular years when the rainfall in North Bengal was above this normal;

(*iii*) the respective amounts in inches in those years;

(*iv*) the particular years when there was flood over a large tract of land in North Bengal;

(*v*) the years when the different railway lines were opened in North Bengal;

(*vi*) the total areas affected by the recent floods in North Bengal as well as in the district of Faridpur:

(*vii*) the total number of deaths of human beings and cattle in these areas by the direct and indirect effects of the flood up to date;

(*viii*) the total number of the houses that have collapsed owing to the flood;

(*ix*) the number of people who are getting relief in the centres opened by the Government; and

(*x*) the total population in the areas that are still in need of relief?

SECRETARY to GOVERNMENT, DEPARTMENT of REVENUE [LAND REVENUE] (Mr. M. C. McAlpin): (*i*) The annual normal rainfall of the districts affected by recent floods in the Rajshahi division is—

Rajshahi—56·80 inches.

Bogra—66·29 inches.

Pabna—59·43 inches.

Dinajpur—71·31 inches.

(*ii*) and (*iii*) A statement is laid on the Library table showing the particular years when the actual annual rainfall in the aforesaid districts was above that normal and the amounts of excess in inches in those cases during the period from 1870 to 1920.

(*iv*) In addition to the extensive floods of 1918 in the districts of Rajshahi and Bogra, there were also heavy floods in North Bengal prior to that year. For particulars, the member is referred to the replies to clause (*f*) of starred question No. XXXIX on the subject asked by Mr. Syed Erfan Ali at this session.

(*v*) A statement is laid on the Library table showing the dates on which the different railways in North Bengal were opened.

(*vi*) The member is referred to the *communiqué* of the 9th November, 1922, which gives the total areas affected by the recent floods in the Rajshahi division. The area affected by the flood in the district of Faridpur was 70 square miles.

(*vii*) The member is referred to the *communiqué* of the 9th instant. No loss of human life or cattle has been reported from Faridpur.

(*viii*) The member is referred to the replies to unstarred question No. 79 (*a*) asked by Rai Harendranath Chaudhuri at this session. No destruction of houses has been reported from Faridpur.

(*ix*) and (*x*) At present none are getting relief in the centres opened by Government in the Rajshahi and Pabna districts. The grant of gratuitous relief in those areas has been stopped, as it is no longer required. In the district of Bogra, however, the average number of persons still receiving relief is about 1,500 daily. So far as can be estimated at present by the local officers this number will be in need of relief for some time. No relief centres were opened in the district of Dinajpur as the distress there was only slight.

Appointment of Indians in the Indian Civil Service.

***XLVI. Babu HEM CHANDRA NASKER:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state what recommendation the Public Services Commission of 1888 made as to the percentage of superior and inferior appointments, respectively, in the Indian Civil Service to be thrown open to Indians as the result of competitive examination in India and also by the promotion of Provincial Service officers to the listed posts?

(*b*) Will the Hon'ble the Member be pleased to state the percentage of superior and inferior appointments held by the members of the Statutory Civil Service and by the listed officers in Bengal—

(*i*) immediately before the Public Services Commission of 1913 began its inquiry;

(*ii*) on the 1st January, 1919; and

(*iii*) on the 1st January, 1922?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a statement showing in Bengal—

(*i*) the total number of members of the Statutory Civil Service and the officers holding listed posts in the Indian Civil Service on the 1st January of 1905, 1910, 1915 and 1920; and

(*ii*) the percentage of such officers holding independent charges of districts—either as executive or judicial officers—on each of those dates?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) The Publice Services Commission of 1886 did not recommend recruitment on the result of competitive examination in India. They recommended that in order to provide for the more extensive employment of Indians in offices reserved for the Covenanted Civil Service, the following should be excluded from the list of reserved appointments for that service:—

(*1*) Under-Secretaries to the several Governments in India.

(*2*) One-third of District and Sessions Judges.

(*3*) One-tenth of Magistrates of districts, Collectors of Revenue.

(*4*) One-sixth of Joint Magistrates and Deputy Collectors and Assistant Collectors.

(*5*) One Member of the Board of Revenue.

(*6*) One Secretary to the Board of Revenue.

(*7*) One Chief Revenue Officer of Division (Commissioner).

(*b*) A statement of the percentage of superior posts is laid on the table. The inferior appointments were not listed but they were amalgamated with the grades of deputy magistrates.

(*c*) (*i*) and (*ii*) A statement is laid on the table. It is understood that by "independent charges of districts," the question intends to exclude the appointments of Additional District Magistrate or Judge.

Statement referred to in the answer to clause (b) of starred question No. XLVI.

		Statutory Civil Servants.	Listed officers.
		Per cent.	Per cent.
(*i*) 1st January, 1913	... ...	1	8·5
(*ii*) 1st January, 1919	... ...	—	11
(*iii*) 1st January, 1922	... ...	—	12

Statement referred to in the answer to clause (c) (i) and (ii) of starred question No. XLVI.

	STATUTORY CIVIL SERVANTS			LISTED OFFICERS.		
	Total.	Number holding independent charge.	Per cent	Total.	Number holding independent charge	Per cent.
1st January, 1905 ...	8	6	75	3	3	100
1st January, 1910 ...	3	2	66	6	5	83
1st January, 1915 ...	1	1	100	8	6	75
1st January, 1920 ...	...	...	...	12	8	66

Relief for distress in certain localities.

*XLVII. **Mr. TARIT BHUSAN ROY:** Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the total amounts spent during the last five years for relief of distress on the following occasions:—

(*i*) cyclone and flood in the district of Dacca;

(*ii*) Damodar flood in Burdwan;

(*iii*) famine in the Khulna district, and

(*iv*) floods in the district of Rajshahi?

Mr. M. C. McALPIN: A statement is laid on the table.

Statement referred to in the reply to starred question No. XLVII, showing the amounts spent during the years 1917 to 1921 for relief of distress in certain districts.

Name of district	Cyclone		Flood.		Distress.	
	From State funds	Rs.		Rs.		Rs.
Dacca	Agricultural loans—		Agricultural and land improvement loans	4,000*		
	In money ...	8,17,050				
	In seeds ..	35,643				
	Gratuitous relief, loss on sales of rice and cloth at low prices, salaries, etc	2,06,903	Gratuitous relief ...	1,000*		
Burdwan ..	.....		Agricultural loans ..	19,500*		
			Gratuitous relief .	2,000		
Khulna ..	..		...		Gratuitous relief .	13,022
					Agricultural loans	47,500
Rajshahi ..	....		Agricultural loans—			
			In seeds	17,000		
			In money	2,37,646		
			Gratuitous relief ...	2,000*		

* These are allotments sanctioned. Figures about amounts spent not readily available.

North Bengal flood.

*XLVIII. **Mr. SYED ERFAN ALI:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the amount of money collected by the Commissioner of the Rajshahi division for affording relief in the affected areas?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a copy of the correspondence that passed between the Government, the Commissioner of the Rajshahi division and the Collectors of Bogra, Rajshahi, and Pabna, about the extent and intensity of the floods, and the measures to be taken for relief?

(*c*) Is it a fact that the Bengal Chamber of Commerce or the European Association approached His Excellency the Governor with a request that funds should be opened for relief in the affected areas?

(*d*) If so, what was the reply of the Government thereto?

(*e*) Will the Hon'ble the Member be pleased to state whether there is any record of the action taken in the past by the district authorities in any district in the Rajshahi division to let out the water caused by the flood by cutting an opening in district board road or a railway line?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble the Member be pleased to state the occasion and circumstances of such action.

Mr. M. C. McALPIN: (*a*) The contributions received by the Commissioner up to the 18th November, 1922, towards the Rajshahi Divisional Flood Relief Fund amounted to Rs. 22,565.

(*b*) Copies of the latest full reports of the Collectors concerned and of the Commissioner's review thereon are placed on the Library table.

(*c*) The reply is in the negative.

(*d*) In view of answer to question (*c*) above, this does not arise.

(*e*) and (*f*) No information on the subject is available.

Greaves Committee report.

***XLIX. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether the Government have received the report of the Greaves Committee appointed under Resolution No. 6287 A., dated the 19th August, 1921?

(*b*) If so, when is it intended to publish the report?

(*c*) When is it proposed to give effect to the scheme, if any, recommended by the said Committee?

(*d*) Will it be necessary to get the sanction of the Government of India to the scheme enunciated in the report?

(*e*) What will be the approximate recurring and annual cost involved in the scheme recommended by the said Committee?

(*f*) Is the Hon'ble the Member in a position to give any information as to when judicial functions will be separated from executive functions in Bengal?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) Government have decided to publish the report at an early date.

(*c*) It has not yet been decided whether effect can be given to the scheme, and no action is likely to be taken till the Retrenchment Committee has reported.

(*d*) If the scheme is adopted it might be necessary to ask the Government of India to undertake legislative amendments and also to sanction the abolition and creation of certain posts.

(*e*) The estimate of cost framed by the Committee is at present being examined, and Government are not yet in a position to say what the cost would be.

(*f*) No.

Arrests for picketing of foreign cloth in Pabna and Sirajganj.

***L. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the number of persons engaged in the picketing of foreign cloths who have been arrested in the Pabna-Sadar and Sirajganj subdivisions since 17th November, 1921;

(*ii*) the number of persons who have been released without conviction; and

(*iii*) the number of persons who have been convicted, in each of those two subdivisions, stating the charges on which they were so convicted and the different kinds of punishment inflicted?

(*b*) If they have been sentenced for picketing, will the Hon'ble the Member be pleased to state when, and under what law, was it declared unlawful?

(*c*) Will the Hon'ble the Member be pleased to state whether any of them were arrested on complaint from any private person?

(*d*) If so, how many of them were so arrested and what was the nature of those complaints?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) to (*d*) The information is not readily available, and Government consider that no useful purpose would be served by the compilation of such a statement.

Gandhi caps.

***LI. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state

whether there are any restrictions imposed or prohibitory orders issued by the Government regarding the wearing of Gandhi caps?

(*b*) Will the Hon'ble the Member be pleased to state whether any person has been convicted in the Presidency of Bengal for wearing a Gandhi cap?

(*c*) If so, will the Hon'ble the Member be pleased to lay on the table a statement showing—

(*i*) the number of persons convicted;

(*ii*) the time and the places of their conviction;

(*iii*) the period of their conviction; and

(*iv*) the officers by whom they were so convicted?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No.

(*b*) No.

(*c*) Does not arise.

Midnapore partition.

***LII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether the Government propose giving up the scheme of partitioning the district of Midnapore in pursuance of the resolution passed by the Bengal Legislative Council?

(*b*) If not, will the Hon'ble the Member be pleased to state—

(*i*) the progress made as yet regarding the said partition scheme; and

(*ii*) the contemplated progress of the scheme during the financial years of 1922-23 and 1923-24, respectively?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) when it is proposed formally to open the district;

(*ii*) the cost incurred as yet on the said partition scheme; and

(*iii*) the manner in which the buildings constructed at the head-quarters of the proposed district are to be utilised till the district is open?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The scheme has not been abandoned but postponed for the reasons already explained to the Council.

(*b*) (*i*) A new subdivision has been opened at Jhargram and many of the principal buildings at Hijli have been constructed or partially completed.

(*ii*) No further progress is contemplated at present.

(*c*) (*i*) No date has been fixed.

(*ii*) The total expenditure for land and buildings at Hijli and the subdivisions is Rs. 16,41,197.

(*iii*) This question is under consideration.

Settlement buildings at Bankura.

***LIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the cost of the buildings erected for the survey and settlement operations at Bankura?

(*b*) Is it a fact that these buildings are fitted with electric lights and fans?

(*c*) If so, what was the cost incurred on the electrical fittings in those buildings?

(*d*) Will the Hon'ble the Member be pleased to state whether there are any other settlement buildings in any district which have got electrical fittings?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble the Member be pleased to state the reasons for this singular treatment?

(*f*) Is it a fact that the town of Bankura or any other buildings in that town are not provided with electrical fittings?

(*g*) Will the Hon'ble the Member be pleased to state how the Government propose to utilise those settlement buildings at Bankura when the settlement operations are over?

Mr. M. C. McALPIN: (*a*) Vernacular office and record room—Rs. 1,17,960, Press—Rs. 26,110, Power-house—Rs. 1,100; Godowns—Rs. 1,042. Total—Rs. 1,46,212.

(*b*) Yes.

(*c*) The cost was Rs. 9,723.

(*d*) There is an electric installation at Berhampore used as the head-quarters office of the Nadia-Murshidabad-Birbhum settlements.

(*e*) The question does not arise.

(*f*) There is no arrangement for the supply of electric light to the town of Bankura, but besides the settlement buildings there are others provided with electric fittings, *viz.*, the Mission College and House, the Dutta Lodge and the residence of the District and Sessions Judge.

(*g*) The matter is under the consideration of Government and no final decision has been arrived at as yet.

Non-co-operation prisoners in Pabna and Sirajganj jails.

***LIV. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to

lay on the table a statement showing respectively for the Pabna and Sirajganj jails—

(*i*) the number of special class prisoners who have suffered from diseases such as small-pox, influenza and typhoid;

(*ii*) the names of the non-co-operation prisoners who are still there;

(*iii*) the names of those non-co-operation prisoners who are still in these jails with the names of diseases they are suffering from; and

(*iv*) the names of such prisoners on whom disciplinary punishments have been inflicted and the nature of such punishments since December last?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) No special class prisoners in these jails have suffered from such diseases.

(*ii*) There are four such prisoners only in the Pabna jail. It is not in the public interest to publish their names.

(*iii*) They are not suffering from any disease.

(*iv*) It is not in the public interest that the names of those guilty of infractions of prison discipline and the punishments awarded to them should be published.

Assault on one Jatindra Nath Dhari by Shampukur thana police.

***LV. Rai Dr. HARIDHAN DUTT Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether the attention of the Government has been drawn to the facts of the case in which two constables named Sew Pujan Singh and Sitaram Pandey of the Shampukur thana of the Calcutta police were charged with having caused "unnecessary violence" to one Jatindra Nath Dhari and which was disposed of by Mr. J. N. Sircar, Fourth Presidency Magistrate, on the 26th October, 1922?

(*b*) What notice, if any, has the Commissioner of Police taken of the conduct of inspector M. N. Pandit of the Shampukur thana, whose "solicitude was not for seeing that justice was done but to save the culprits" according to the finding of the learned Magistrate?

(*c*) Whether any attempt has up to now been made to find out the constables (other than Sew Pujan Singh and Sitaram Pandey) who had gone out of the thana, at the time of the alleged occurrence?

(*d*) If so, what measures have been adopted against them?

(*e*) Are the Government considering the desirability of taking any steps for an enhancement of the sentences passed on constables Sew Pujan Singh and Sitaram Pandey?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes.

(*b*) The inspector has been suspended and proceedings have been drawn up against him.

(*c*) and (*d*) The Deputy Commissioner, North District, inquired into the matter but only two constables were identified before him. Further inquiry is being made.

(*e*) The question is under consideration.

Suresh Chandra Sen Gupta.

***LVI. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact—

(*i*) that one Suresh Chandra Sen Gupta was convicted under section 396, Indian Penal Code, in the year 1911 and was sentenced to transportation for life;

(*ii*) whether the said political prisoner was in the Andamans till February, 1919, and in that month was brought to Madras and confined in a jail there;

(*iii*) that he has earned a remission of three years of his sentence by his good conduct and on account of the Coronation ceremony;

(*iv*) that the said prisoner has served out his full term of sentence including the period of his remission;

(*v*) that three months more have elapsed since his serving the full term of his sentence but that he is still in jail there;

(*vi*) whether the jail authorities of the Madras Presidency wrote to the Government of Bengal requesting his release?

(*b*) Will the Hon'ble the Member be pleased to state what steps, if any, have been taken in the matter and what is the cause of this delay, if any, and who is responsible for such delay?

(*c*) What steps, if any, are the Government taking to punish the officer responsible for this delay and to prevent a recurrence in future?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) Yes.

(*ii*) Yes.

(*iii*) He has earned over three years total remissions.

(*iv*) and (*v*) He has not served out the full term of his sentence but only 14 years including remissions.

(*vi*) The Government of Madras have in the usual course inquired whether he should be released under the rule according to which the

question of releasing a convict is considered after the imprisonment undergone, including remissions, amounts to 14 years.

(*b*) and (*c*) The question has been considered and it has been decided that he should not be released at present.

Case of one Faizuddin Sheikh.

***LVII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether it is a fact—

(*i*) that the trial of one Faizuddin Sheikh of Char Manikdi, police-station Sujanagar, district Pabna, commenced before the Additional Sessions Judge of Pabna under sections 302 and 309, Indian Penal Code, on the 4th July, and concluded on the 8th July last;

(*ii*) that he was committed to the sessions on the charge of murdering his wife, a son and a daughter by cutting their throats with a sickle and with attempt to commit suicide by cutting his own throat with the same weapon on 16th March last; and

(*iii*) that the accused was lying on the same bed with his son and daughter killed by him, and that the dead body of the wife with her throat cut was found on a pathway at a distance of about 30 cubits from the house of the accused?

(*b*) Will the Hon'ble the Member be pleased to state whether the accused while he was in the Pabna hospital made a confession?

(*c*) If so, will the Hon'ble the Member be pleased to lay a copy of the said confession on the table?

(*d*) Is it a fact that the jury in this case returned a unanimous verdict of "not guilty" in favour of the accused but that the Additional Sessions Judge disagreeing with the verdict of the jury referred the case to the High Court?

(*e*) Is it also a fact that the High Court has disposed of the reference made by the Additional Judge of Pabna on the 23rd August, 1922, convicting the accused and sentencing him to transportation for life but that their Lordships have directed that the proceedings and a copy of the judgment be forwarded to His Excellency the Governor so that the case might be dealt with in such a way as His Excellency might think fit?

(*f*) Will the Hon'ble the Member be pleased to state whether His Excellency has been pleased to take any action on the recommendation of the High Court?

(*g*) If so, what action, if any, has been taken in this matter?

(*h*) Will the Hon'ble the Member be pleased to lay a copy of the judgment of the Hon'ble the High Court along with the recommendation made by the Hon'ble the Judges on the table?

(*i*) Will the Hon'ble the Member also be pleased to lay on the table a copy of the judgment passed in this case by the Additional Sessions Judge of Pabna and the grounds of reference to the High Court?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) Yes.

(*ii*) He was committed for trial on the charge of murdering his wife, son and daughter.

(*iii*) Yes.

(*b*) Yes.

(*c*), (*h*) and (*i*) Government do not propose to lay on the table the copies of these documents as they are available to the public in the usual way from the courts concerned.

(*d*) and (*e*) Yes.

(*f*) and (*g*) Orders have issued to the Inspector-General of Prisons to keep the prisoner under medical observation for one year. Final orders will be passed on the receipt of the report of the Inspector-General.

Case of one Faizuddin Sheikh.

***LVIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that a day or two before the murder, in spite of his best efforts, Faizuddin Sheikh of Char Mauikdi, police-station Sujanagar, Sadar subdivision, Pabna, could not provide his family with food and that in consequence the whole family had to starve and that getting no help or relief from any quarter whatsoever, the man murdered his wife, son and a daughter?

(*b*) Was any police inquiry made so as to ascertain the causes which led to these murders?

(*c*) If so, will the Hon'ble the Member be pleased to lay on the table a copy of the police report with the depositions taken in the course of the inquiry together with a list of the witnesses examined?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) to (*c*) Government have no information beyond that on the record of the criminal case which does not bear out the allegations in the question.

Recognition of Societies.

***LIX. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether there are any rules regarding the recognition of societies both political and social by the Government?

(*b*) If so, will the Hon'ble the Member be pleased to lay on the table a copy of those rules?

(*c*) Will the Hon'ble the Member be pleased to state the authorities by whom and the manner in which such recognition is made by the Government and to whom appeal may be made in the case of a refusal?

(*d*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the number and the names of the societies, both political and social, at present recognised by the Government and the places at which they are located?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) There are no rules on the subject. The general principle is to recognise societies which may usefully be consulted on matters of general interest.

(*b*) Does not arise.

(*c*) Recognition is accorded by Government in the Political Department and there is no appeal in the case of a refusal.

(*d*) A statement is laid on the Library table.

Case of one Ladoo Singh.

***LX. SHAH SYED EMDADUL HAQ:** (*a*) With reference to the answer to starred question No. XLVI put by Babu Kishori Mohan Chaudhuri on the 5th July, 1922, will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether it is a fact that after the filing of the appeal preferred from Jail by Ladoo Singh and others, the Jail Superintendent of Pabna did not send any information to the Additional Sessions Judge of Pabna under the Jail Code in order to learn the result of appeal of the said prisoners?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble the Member be pleased to state whether it is not a fact that the rules provide that it is the duty of the Jail Superintendent to inquire about the results of an appeal preferred from jail?

(*c*) Will the Hon'ble the Member be pleased to state why it was held that the Superintendent and the Jailors of the Pabna and Rajshahi Jails were not responsible?

(*d*) Are the Government considering the desirability of awarding some money compensation to Ladoo Singh for his detention in jail for over 8 months? If not, why not?

(*e*) Are the Government also considering the desirability of taking early steps to prevent a recurrence of such incidents in future?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No inquiry was made by the Jail Superintendent of Patna

(*b*) Yes.

(*c*) In so far as their subordinates did not carry out their duties the Superintendents were ultimately responsible The subordinate staff of both jails have been warned and, as previously intimated, an assistant jailor has been removed from Government service

(*d*) The question will be considered

(*e*) The necessary orders have been issued

Prisoners of Pragpore-Khalilpore dacoity case.

***LXI. Dr. JATINDRA NATH MOITRA:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether Kshitish Chandra Sanyal, Ashutosh Lahiri and Phanibhusan Roy were convicted in what is known as the Pragpore-Khalilpore dacoity case under the same charges several years ago and sentenced to similar terms of imprisonment and that Kshitish Chandra Sanyal and Ashutosh Lahiri have already been released and Phanibhusan is still detained in Jail?

(*b*) Will the Hon'ble the Member be pleased to state what additional offence has been committed by Phanibhusan Roy during his jail life to merit this differential treatment?

(*c*) Is it a fact that the order of release of Kshitish Chandra Sanyal was issued by Government on the 10th August last, but he was actually released on the 8th September?

(*d*) If so, what was the delay due to?

(*e*) Is it a fact that one Suresh Chandra Sen Gupta (now confined in the Madras Penitentiary), who was convicted under section 396 on 11th August, 1911, has already served his full term, but no order of release has yet been issued by the Government? If so, why?

(*f*) Will the Hon'ble the Member be pleased to state whether the Government has received any communication on the subject from the Madras jail authorities?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) No additional offence has been committed by him during h jail life.

(*c*) Yes.

(*d*) The convict was in a jail in the Bombay Presidency and th interval was due to arrangements to be made for his transfer to th Alipore Jail for release.

(*e*) and (*f*) No; he has not served his full term which was imprison ment for life. He has served 14 years of his sentence including remi sions. The Government of Madras made the inquiry which is pre scribed in the case of prisoners in Indian jails at the end of the four teenth year of sentence, whether this Government was prepared t release him and the Government of Bengal have decided that the remi sion of the remainder of the sentence at present would not be justifie

Assault on one Jatindra Nath Dhari by two constables of Shampukur thana.

***LXII. Dr. JATINDRA NATH MOITRA:** (*a*) Will the Hon'bl the Member in charge of the Police Department be pleased to state-

(*i*) whether it is a fact that two constables, viz., Sew Pujan Sing and Sitaram Pandey of the Shampukur thana, Calcutta, hav lately been convicted by the Fourth Presidency Magistrat for assaulting one Jatindra Nath Dhari,

(*ii*) whether it is also a fact that the said Magistrate remarked i his judgment that "a most brutal and cowardly assault" wa committed by them on the said Jatindra Nath Dhari;

(*iii*) whether it is also a fact that the said Magistrate punished Sita ram with three months' rigorous imprisonment and Sev Pujan with a fine of Rs. 30?

(*b*) Will the Hon'ble the Member be pleased to state whether it i a fact that when the complainant was down on the ground the constabl Sitaram stood on the stomach of the complainant and turned roun trampling him with the result that the complainant became unconsciou and had prolapse of the anus?

(*c*) Are the Government considering the desirability of taking step for the enhancement of the sentences passed on the accused?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) Yes.

(*ii*) Yes.

(*iii*) Yes.

(*b*) The Court found that this was so. Reference is invited to the judgment a copy of which has been laid on the Library table.

(*c*) The matter is under consideration.

Visit of flooded area in North Bengal by high officials.

***LXIII. Dr. JATINDRA NATH MOITRA:** Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) the date when he came to know of the great flood in North Bengal and the extent of mischief done, and

(*ii*) who amongst the high officials of the Government visited the whole area affected and how long each of them remained in the localities to ascertain first-hand, the nature and extent of the relief needed?

Mr. M. C. McALPIN: (*a*) The Hon'ble the Member in charge came to know of the floods on the 28th September. From that date onwards Government received telegraphic information of the extent of damage done and it is impossible to give any specific date on which it became known.

(*b*) The comprehensive duties mentioned in the question are performed by the local officers of Government who were on the spot continuously from the first day of the floods. The Hon'ble the Minister in charge of Local Self-Government and the Hon'ble the Member in charge both visited the area. They each remained there for a day on the 8th and 9th October, respectively.

Investigating staff and Deputy Commissioners of Police in charge of districts.

***LXIV. Mr. BIJOYPROSAD SINCH ROY:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that the outpost system in Calcutta was originally created after the model of the London Police to give relief to the investigating officers by transferring the work of the petty and miscellaneous cases to the sergeants in charge of the outposts?

(*b*) Is it a fact that the police reports show that the largest number of instances of detection of crimes are due to the excellent work done by the Criminal Investigation Department under a special Deputy Commissioner with Scotland Yard training and not by the ordinary police of the North and South districts of the city?

(c) Are the Government considering the desirability—

(i) of transferring the investigation of serious crime such as daylight robberies, heavy burglaries, bank forgeries, etc., to the central investigating staff in charge of the Investigation Department as in London, and

(ii) of reducing the number of Deputy Commissioners in charge of the districts after transferring their works to responsible and experienced Assistant Commissioners?

The Hon'ble Mr. H. L. STEPHENSON: (a) The reorganization of 1916 which was modelled on the arrangements in force in the London Police included the separation of the investigating and patrol staff. The police area of Calcutta was divided into sections for the purposes of the control and investigation of crime and each section divided into two sub-sections in charge of a sergeant for the purposes of patrol

(b) The Detective Department was placed under a whole-time Deputy Commissioner in 1916 One of its functions is to help the section police in investigating cases in which assistance of the central detective staff is desirable. It is a fact that the detection of crime is thereby facilitated.

(c) (i) The Detective Department at present takes over and investigates such cases.

(ii) Government are not considering this

Serious crimes in rural areas.

***LXV. Rai LALIT MOHAN SINGH ROY Bahadur:** (a) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether the number of dacoities, burglaries and murders have increased in the rural areas of Bengal within the last six months?

(b) If so, will the Hon'ble the Member be pleased to state what steps, if any, have been taken to check them?

(c) Are the Government considering the desirability of opening police outposts in those areas where the number of serious crimes such as dacoities, etc., have increased and where it is not possible for the central police-station to render help on account of distance?

(d) Have the Government any idea of the probable approximate cost of opening and maintaining an outpost?

The Hon'ble Mr. H. L STEPHENSON: (a) During the six months ending September, 1922, there were more murders and burglaries and fewer dacoities than in the preceding six months.

(*b*) and (*c*) No. Attention is invited to the answer given to (*b*) of unstarred question No. 143 during the July Session of the Council this year.

(*d*) The cost of maintaining an average outpost is Rs. 2,700 a year excluding the cost of accommodation.

Assault on one Jatindra Nath Dhari by two constables of Shampukur thana.

*LXVI. **Mr. TARIT BHUSAN ROY:** (*a*) Has the attention of the Hon'ble the Member in charge of the Police Department been drawn to the judgment of Mr. J. N. Sircar, Fourth Presidency Magistrate of Calcutta, in the case of Crown *versus* Sew Pujan Singh and Sitaram Pandey, two constables of Shampukur thana, which was disposed of on or about 26th October, 1922?

(*b*) Will the Hon'ble the Member be pleased to lay a copy of the judgment on the table?

(*c*) Is it a fact that the said accused have both been convicted for assault upon one Jatindra Nath Dhari who was dragged out of a shop stark-naked in the middle of Shambazar Street in broad daylight with his hands tied behind his back?

(*d*) Is it a fact that the trying Magistrate has held that accused No. 2, Sitaram Pandey, stood on the stomach of the said Jatindra Nath Dhari and turned round, trampling him when he was down on the ground?

(*e*) Is it a fact that the trying Magistrate has *inter alia* remarked in his judgment that the conduct of the accused was disgraceful and the conduct of the officer in charge of the thana was still more so, that that officer could not have helped seeing what had happened and that his solicitude was not for seeing that justice was done but for saving and shielding the culprits?

(*f*) What is the name and standing of the said officer in charge and what are his antecedents while in service?

(*g*) Was the said officer in charge ever punished departmentally? If so, how, when, and for what offences?

(*h*) What action, if any, are the Government taking against the said officer on the judicial findings of the trying Magistrate?

(*i*) Is that officer still in charge of the Shampukur thana?

(*j*) Are the Government considering the desirability of calling for the records of the case and of moving the High Court for an enhancement of the sentence?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) A copy of the judgment is laid on the Library table.

(*c*) to (*e*) Yes.

(*f*) and (*g*) Monohar Nath Pandit, officiating inspector. He was appointed to the police in 1898. His record contains several punishments as well as commendations.

(*h*) and (*i*) He has been suspended pending disposal of the proceedings drawn up against him.

(*j*) Government have called for and received the record of the case. The matter is under consideration.

Mr. Biss's Scheme for Primary Education.

***LXVII. Mr. H. A. STARK:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state when it is proposed to bring into operation Mr. Biss's Scheme for Primary Education in Bengal?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): Government have not yet accepted Mr Biss's Scheme for Primary Education They propose to introduce it in certain limited areas as an experimental measure with a view to ascertain how far it will meet the needs of the province Proposals for the purpose are under examination.

Unstarred Questions

(answers to which were laid on the table).

Slaughter of cows.

106. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Police Department been drawn to the notification dated the 31st May, 1922, of the Government of the Central Provinces, under which the slaughter of pregnant cows, milch-cows and calves has been prohibited in the said province?

(*b*) Are the Government considering the desirability of issuing a similar notification for this province?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) No.

English teachers and inspecting officers.

107. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing

(*i*) the number of posts for teachers and sub-inspectors, respectively, in the scale of Rs. 75—5—200; and

(*a*) the number of posts for teaching and inspecting officers, respectively, in the scale of Rs. 150—10—250?

(*b*) Is the same percentage rule observed as regards teachers and inspecting staff in the scale of Rs. 150—10—250?

(*c*) If not, are the Government considering the desirability of raising the percentage of English teachers in the scale of Rs. 150—10—250 so as to make the same equal to that of the inspecting officers?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) There are 505 teaching and 268 inspecting posts in the Rs. 75—5—200 scale.

(*ii*) There are 54 teaching and 61 inspecting posts in the Rs. 150—10—250 scale.

(*b*) The posts in the Rs. 150—10—250 scale were not distributed between the teaching and inspecting branches on the basis of any percentage rule. The posts were created to meet the actual requirements of the department. The teaching posts included in this scale were created for assistant headmasters and assistant headmistresses of high and normal schools, for senior laboratory assistants in colleges and for headmistresses of vernacular training schools for women. There are 54 such officers. The inspecting posts included in this scale were created for subdivisional inspectors of schools. There are 61 such officers.

(*c*) This does not arise.

Assistant headmasters of Government high schools.

108. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether there are any rules for guidance in the matter of the appointment of the assistant headmasters of Government high schools?

(*b*) If so, will the Hon'ble the Minister be pleased to lay a copy of the same on the table?

(*c*) If not, are the Government considering the desirability of framing any such rules?

The Hon'ble Mr. P. C. MITTER: (*a*), (*b*) and (*c*) There are no specific rules at present, but the matter is receiving consideration.

Sericultural farm at Bogra.

109. Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*a*) when a Sericultural farm was established at Bogra,

(*b*) when the farm was abolished;

(*c*) what were the initial and other expenses from the starting of the farm to its abolition;

(*d*) why the farm was abolished;

(*e*) whether Government have again started a farm;

(*f*) whether it is the intention of Government to make the new farm as important as the first established farm; and

(*g*) whether Government are considering the desirability of appointing visitors for the farm from some of the local gentlemen who are likely to take an interest in the farm?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE AND INDUSTRIES (Mr. J. T. Donovan): (*a*) In the year 1913.

(*b*) In the year 1918.

(*c*) The initial cost of constructing the Bogra nursery including the cost of acquisition of land was Rs. 4,225. The expenditure on account of establishment and other recurring charges amounted approximately to Rs. 5,550 a year.

(*d*) Owing to the decline of the silk industry in Bogra the seed industry had also departed from the district and the purchasers of seed-cocoons from Malda and Murshidabad began to take their supply from Birbhum. The nursery had never been a success and it cost a great deal for maintenance owing to the poor soil and high labour rates in the district.

(*e*) Government have decided to utilise the land on which the Sericultural nursery at Bogra had formerly stood for mulberry cultivation

(*f*) The success of the scheme will also depend on the amount of local enthusiasm. As a test mulberry cuttings will be supplied only to those persons who have prepared their land for the purpose.

(*g*) The answer is in the negative.

Postponement of settlement operations in the district of Bogra.

110. Rai HARENDRANATH CHAUDHURI: Is the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) considering the desirability of keeping the settlement operations in abeyance for the present in the district of Bogra recently affected by the flood?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The member is referred to the reply to unstarred question No. 73 put by Khan Bahadur Maulvi Hafizar Rahman Chaudhuri at this session.

Pay and prospects of teachers in private schools.

111. Rai PYARI LAL DOSS Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state how many—

(*i*) unaided private schools,

(*ii*) Government schools, and

(*iii*) Government aided private schools, there are in the Presidency of Bengal?

(*b*) Is the Hon'ble the Minister aware that most of the teachers in private schools are ill-paid?

(*c*) Is the Hon'ble the Minister aware that there are constant changes in the teaching staff of private schools?

(*d*) Are the Government considering the desirability of improving the pay and prospects of teachers in private schools?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) Unaided private schools 6,769, (*ii*) Government schools 383, and (*iii*) Aided schools 1,470.

(*b*) Yes.

(*c*) The answer is in the negative.

(*d*) The pay and prospects of teachers in schools aided by Government have been much improved by increased subsidies from Government sanctioned in connection with the scheme for the improvement of secondary education.

The unaided private schools are not under Government control and it is not possible for Government in their present financial position to take steps for the improvement of the pay and prospects of teachers employed in such schools.

Patrasaer high school.

112. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state

(*a*) whether the high school at Patrasaer (Vishnupur subdivision, district Bankura), is receiving any financial assistance from the Government;

(*b*) whether it is a fact that the capital and current expenses of that school have so far been entirely met from local charity;

(*c*) whether there is a possibility of the school being closed down owing to lack of funds, and

(*d*) whether Government are considering the desirability of providing suitable financial assistance for that school in the next year's Budget?

The Hon'ble Mr. P. C. MITTER: (*a*) No.

(*b*) Yes.

(*c*) No.

(*d*) No.

Judgments and facts in connection with certain police cases in Calcutta.

113. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table copies of the judgments in connection with the following cases:—

(*i*) Sarat Chandra Dhar *versus* Raghu Raj Singh, disposed of by Mr. P. K. Biswas, Honorary Presidency Magistrate, Northern Division, Calcutta, on the 11th September, 1922; and

(*ii*) Emperor *versus* Sarat Chandra Dhar, disposed of by the said Mr. P. K. Biswas, on the 11th September, 1922?

(*b*) Will the Hon'ble the Member be pleased to state the broad facts in connection with the following cases in which there are no detailed judgments—

(*i*) Sarat Chandra Dhar *versus* Sub-Inspector Provat Nath Mukharji, disposed of by the Chief Presidency Magistrate on the 17th August, 1922; and

(*ii*) Sub-Inspector Provat Nath Mukharji *versus* Nagendra Nath Basu, disposed of by the Chief Presidency Magistrate on the 15th July, 1922?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) and (*ii*) Government are not prepared to supply copies of judgments in the cases mentioned, as they are available in the ordinary way.

(*b*) (*i*) and (*ii*) Government are not in a position to give any more facts than appear in the records of the cases, copies of which can be had in the ordinary way.

Telegraph office at Satbaria.

114. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether it is a fact that there is no telegraph office at Satbaria, a port situated within the police-station Sujanagar in the Sadar subdivision of Pabna and that the nearest telegraph office at Pangsa or Belgachi on the Eastern Bengal Railway is more than 10 miles away on the other side of the river Padma which is not easily fordable during the rainy season?

(*b*) Are the Government taking any steps to establish a telegraph office at Satbaria?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) No; no representation from the locality for the opening of a telegraph office, with a guarantee for indemnifying Government against loss in the working of the office, has been received by Government. The member is referred to the rules applicable to such cases in Chapter X, Volume II of the Telegraph Manual.

Public companies in Bengal.

115. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Commerce be pleased to lay on the table a statement showing—

(*i*) the number of public companies in Bengal which have been floated in the year 1921 and 1922 (up to the 31st October, 1922);

(*ii*) the total paid-up capital of these companies;

(*iii*) the number of companies during the period referred to in (*i*), which are incorporated—

(*a*) abroad but are working in Bengal;

(*b*) in Bengal but are working abroad; and

(*iv*) the number of companies floated in 1921 and 1922 which have not commenced business?

The Hon'ble Mr. J. DONALD: (*i*) The number of companies, public and private, incorporated in the years 1921-22 and 1922-23 (up to the 31st October, 1922), was as follows:—

1921-22: Limited by shares—288; Limited by guarantee—8; Societies—17; Total—313.

1922-23 (up to 31st October, 1922): Limited by shares—95; Limited by guarantee—3; Societies—10; Total—108.

(*ii*) Information regarding the total paid-up capital of the companies registered for the year 1921-22 is furnished in statements 2 and 4 attached to the Annual Report of the Registrar of Joint Stock Companies.

Information is not yet available regarding the paid-up capital of companies incorporated since the 1st April, 1922.

(*iii*) (*a*) The information will be found in paragraph 11 of the Annual Report of the Registrar for the year 1921-22. Ten more companies have filed their documents since the 1st April, 1922.

(*b*) The information is not available.

(*iv*) Fifty companies incorporated in 1921-22 have not applied for their certificate entitling them to commence business.

Figures regarding the companies registered since the 1st April, 1922, cannot be supplied at present.

Survey of industries of Bengal.

116. Babu DEBI PROSAD KHAITAN: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether a survey has been or is being carried on of the industries in this province?

(*b*) If so, will the Hon'ble the Minister be pleased to state the main heads on which information has been or is being collected during the survey?

(*c*) Will the Hon'ble the Minister be pleased to state what progress has been made in the survey?

(*d*) Of how many, and which, divisions or districts or subdivisions has the survey been completed and when is the whole survey expected to be completed?

(*e*) Is the Hon'ble the Minister considering the desirability of publishing the results of the survey as they are or may be completed by subdivisions, districts or divisions, to be subsequently consolidated on the whole survey of the entire province being completed?

(*f*) Will the Hon'ble the Minister be pleased to state whether any attempt has been or is being made during the survey to ascertain and collect the local requirements for industrial development in the different sections of the province?

Mr. J. T. DONOVAN: (*a*) A general survey of the cottage industries of the province is being carried on

(*b*) The main heads on which information, where available, is being collected are noted below:—

(*i*) distribution of the industries;

(*ii*) nature of production;

(*iii*) sources of supplies of raw materials;

(*iv*) organizations for the disposal of finished products;

(*v*) economic condition of the workers;

(*vi*) suggestions for the organization and improvement of the industries; and

(*vii*) any other useful information, *e.g.*, number of families engaged; process of manufacture, quantity and value of the raw materials consumed, etc.

(*c*) and (*d*) With the exception of Bogra, Pabna, Dinajpur, Darjeeling and Jalpaiguri districts, a general survey of all other districts of the province has been completed and the survey of cottage industries of the whole province is expected to be completed by the end of February, 1923.

(*e*) The results will be published in a consolidated form on the completion of the survey.

(*f*) Yes.

Excavation of river Saraswati.

117. Rai MAHENDRA CHANDRA MITRA Bahadur: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what action, if any, has been taken for the excavation of the river Saraswati?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): Up to date the whole of the Saraswati has been surveyed but no project for clearing it has yet been made out

Cost of settlement in Jessore.

118. Babu NALINI NATH ROY: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it is a fact that the rate of the cost of settlement of Jessore as realised by Government is higher than previous rates realised from other districts?

(*b*) Will the Hon'ble the Member be pleased to show in a tabular form the rates or charges realised from the districts of Bakarganj, Faridpur, Mymensingh, Dacca and Jessore, namely from—

(*i*) landlords;

(*ii*) middlemen interested;

(*iii*) tenants, and

(*iv*) sub-tenants?

(*c*) Are the Government aware that the condition of the crops of the district is very bad this year on account of heavy rain?

(*d*) Are the Government considering the desirability of postponing the realisation of the settlement cost this year?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Yes.

(*b*) The rates are shown below:—

District.	Average rate required per acre.	Rate assessed on landlords (*i*) and (*ii*) of question.	Rate assessed on *raiyats* (*iii*) of question.	Rate assessed on under-*raiyats* (*iv*) of question.
	Rs. A. P.	A. P.	A. P.	A. P.
Bakarganj ...	1 0 0	2 6 and 3 0 (per rupee on profits)	1 0 (per rupee of rent)	Nil
Faridpur	1 1 0	4 0 (per rupee on profits)	2 6 (per rupee of rent)	1 0 (per rupee of rent)
Mymensingh ...	0 11 3	3 6 (per rupee on profits)	5 0 (per acre)	2 6 (per acre)
Dacca	1 0 0	6 0 (per rupee on profits) 8 0 (per rupee on khas-lands)	8 0 (per acre)	4 0 (per acre)
Jessore, Block A ...	1 4 6	13 0 (per acre)	7 6 (per acre)	4 0 (per interest)
Jessore, Block B ...	1 2 0	11 0 (per acre)	7 0 (per acre)	4 0 (per interest)
Jessore, Block C ...	1 4 0	12 0 (per acre)	8 0 (per acre)	4 0 (per interest)

(*c*) Heavy rainfall caused slight damage to the standing crops on low lands, but on the whole, the prospects of the crops are fair.

(*d*) No.

Jessore waterworks.

119. Babu NALINI NATH ROY: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what the result of the correspondence with the Commissioner has been in the matter of the improvement of the waterworks of Jessore?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT(Mr. S. W. Goode): The matter is still under consideration and no decision has yet been reached.

Anglo-Indians and Small Causes Court Judgeships.

120. Mr. H. BARTON: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether Anglo-Indians are afforded equal facilities as those of other communities for filling the post of Judges in the Small Causes Court?

(*b*) Is it a fact that at the present moment there is no Anglo-Indian filling such a post? If so, why?

(*c*) How many Anglo-Indians, if any, have at any time filled the post of Judges in the Small Causes Court?

(*d*) When was such an appointment last held by an Anglo-Indian?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) There is no Anglo-Indian Judge at present. No suitable candidates from the Anglo-Indian community were forthcoming at the time vacancies were last filled up.

(*c*) There were six Anglo-Indian gentlemen who filled the posts of Judges of the Court at some time or other from 1st March, 1868, to 20th March, 1918.

(*d*) The last appointment as Judge held by an Anglo-Indian was from 2nd January, 1896, to 20th March, 1918. He was Registrar of this Court from the 25th October, 1892, to 1st January, 1896.

Mr. H. BARTON: Will the Hon'ble the Member in charge be pleased to give the date on which the last vacancies were filled?

The Hon'ble Sir ABD-UR-RAHIM: I must have notice of this question.

Mr. H. BARTON: Did any Anglo-Indians apply?

The Hon'ble Sir ABD-UR-RAHIM: When?

Mr. H. BARTON: During the last vacancies.

The Hon'ble Sir ABD-UR-RAHIM: None.

Mr. H. BARTON: Were the vacancies at all notified and candidates invited to apply?

The Hon'ble Sir ABD-UR-RAHIM: I must have notice of this question.

Amount contributed to the Flood Relief Fund started by the Rajshahi Commissioner.

121. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the amount contributed up to date towards the Flood Relief Fund started by the Commissioner of the Rajshahi division?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The amount contributed up to the 18th November, 1922, was Rs. 22,565.

Settlement of "char" lands of Pabna and Noakhali.

122. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the number and area of the—

(*i*) settled, and

(*ii*) unsettled,

culturable *chars* in each subdivision of the district of Pabna and Noakhali?

(*b*) Is it a fact that the lands of the *chars* are settled with *bona fide* agriculturists who are to live there with their families?

(*c*) Will the Hon'ble the Member be pleased to state how much of the *char* lands are settled with persons other than the agriculturists and what is the number of such persons?

(*d*) Are the Government considering the desirability of settling *char* lands with the unemployed middle class men of Pabna and Noakhali?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) A statement is laid on the table.

(*b*) Yes, mostly.

(*c*) In Pabna, 3,714 acres of land have been settled with 2,353 persons who are other than agriculturists. As regards the *char* lands in Noakhali the information wanted is not readily available.

(*d*) The member is referred to Rule 136A, page 64 of the Government Estates Manual, 1919, and Rule 5(*a*), page 2 of the Waste Lands Manual, 1919.

Statement referred to in the reply to clause (a) of unstarred question No. 122, showing the number and area of the settled and unsettled culturable "chars" in each subdivision of the districts of Pabna and Noakhali.

Name of district.	Subdivision	SETTLED "CHARS."		UNSETTLED "CHARS."	
		Number.	Area in acres.	Number.	Area in acres.
Pabna ...	Sadar ...	57	39,612·81	...	...
	Sirajganj ...	85	36,710·40	...	...
Noakhali ...	Sadar (including Hatiya and Sandip)	27	201,317	2	4,175
	Feni ...	4	2,585	...	...

North Bengal floods.

123. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it is a fact—

(*i*) that up to the year 1917, flood was almost unknown in Northern Bengal, particularly in the areas now affected;

(*ii*) that within the last four years, *i.e.*, from 1918 to 1922, there have been three floods; and

(*iii*) that the Hon'ble the Minister in charge of the Department of Local Self-Government expressed his opinion that "the flood in Northern Bengal is owing to a heavy rainfall"?

(*b*) Will the Hon'ble the Member be pleased to state the reasons—

(*i*) for the absence of floods before the year 1918; and

(*ii*) for the frequency of floods since 1918?

(*c*) Will the Hon'ble the Member be pleased to state whether it is a fact—

(*i*) that during the floods of 1918 and 1920, the Commissioner of the Rajshahi division promptly visited the affected areas and did not wait for two weeks before reaching the place after the floods had set in;

(*ii*) that the difference of water level on both the sides of the embankments is about five feet;

(*iii*) that the Commissioner of the Rajshahi division has held that insufficiency of culverts was the prime contributory factor to these floods; and

(*iv*) that the places on the banks of the Padma, Brahmaputra and Mahanadi have not been affected by these floods? If so, why?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) No; for previous severe floods in the areas now affected, the member is referred to the replies to starred question No. XXXIX (*f*) asked by Mr. Syed Erfan Ali at this session.

(*ii*) In addition to the recent floods there was a heavy flood only in 1918.

(*iii*) So far as he remembers, the Hon'ble the Minister stated that he understood the flood was due to excessive rainfall.

(*b*) In view of replies to (*a*) (*i*) and (*ii*) above, this requires no answer.

(*c*) (*i*) The flood of 1918 occurred on the 25th and 26th August and the Commissioner visited the affected areas towards the end of August and the beginning of September. Government have, however, no information as to whether the Commissioner visited the flooded area in 1920; there was nothing unusual about this flood except that it was later than usual.

(*ii*) It is understood that there was a difference, but the exact amount has not been definitely ascertained as yet.

(*iii*) Government have no information about this. The matter will be investigated by a Committee of experts.

(*iv*) So far as can be ascertained from the maps of the affected area received from the local officers, the banks of the Padma, the Brahmaputra, and the Mahanadi do not appear to have been affected. Government have no information as to why they were not affected.

North Bengal flood of 1918.

124. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it is a fact that a Committee was appointed by the Government in 1918, presided over by Mr. Cumming (now Sir John Cumming) to inquire into the cause of the floods in North Bengal?

(*b*) Did that Committee submit any report or make any recommendations to the Government?

(*c*) If so, when was this report submitted to the Government and what were the specific recommendations made?

(*d*) Has any action been taken on the report of the said Committee during the last four years? If not, why not?

(*e*) Will the Hon'ble the Member be pleased to state the amount of expense incurred on the said Committee?

(*f*) Will the Hon'ble the Member be pleased to lay on the table a copy of the said report?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The answer is in the negative.

(*b*) to (*f*) In view of the reply to (*a*) above, these questions do not arise.

Department of Fisheries.

125. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the expenditure incurred on the Department of Fisheries, year by year, since its creation;

(*ii*) the number of officers employed—

(*a*) at the time of the establishment of the department; and

(*b*) during the years 1920, 1921 and 1922;

(*iii*) the research work done by the Fisheries Department, year by year, since its creation; and

(*iv*) the output of fish in Bengal—

(*a*) at the time when the department was established; and

(*b*) during the years 1920, 1921 and 1922?

Mr. J. T. DONOVAN: (*i*) to (*iv*) A statement is laid on the table.

Statement referred to in reply to unstarred question No. 125, showing the expenditure and enhancement of the Fisheries Department.

(*i*) Expenditure incurred on the Department—

Year.		Expenditure.
		Rs.
1911-12	...	18,053
1912-13	...	26,157
1913-14	...	61,361

Year.		Expenditure.
		Rs.
1914-15	...	55,927
1915-16	...	37,431
1916-17	...	39,475
1917-18	...	44,355
1918-19	...	47,961
1919-20	...	51,730
1920-21	...	40,228
1921-22	...	46,552
	Total	4,69,230

(*ii*) Number of officers employed in the Department—

1911-12: One Deputy Director; two Superintendents of Fisheries; two Zoological Assistants.

1919-20: One Director; two Superintendents of Fisheries; two Zoological Assistants; two District Fishery Officers.

1920-21: Director—(Vacant); two Superintendents of Fisheries; one Zoological Assistant; four District Fishery Officers.

1921-22: Director of Agriculture in charge; two Superintendents of Fisheries; one Zoological Assistant; four District Fishery Officers.

(*iii*) Account of research work done by the Department for 1911-12 to 1915-16 was published in the reports of the Department of Agriculture for those years. Account of research work from 1916-17 onwards is incorporated in the Annual Reports of the Fisheries Department. Copies of the reports have been placed on the Library table.

(*iv*) Information about output of fish in Bengal is not available. Statistics of fish imported into Calcutta markets only are compiled and a statement of the quantity of fish so imported is given below:—

Year.		Maunds.
1912-13	...	192,363
1913-14	...	143,611
1914-15	...	126,025
1915-16	...	240,139
1916-17	...	317,146
1917-18	...	301,254
1918-19	...	306,037
1919-20	...	312,975
1920-21	...	370,119
1921-22	...	417,684

Muhammadans on the ministerial staff in courts in Pabna-Bogra and Tippera districts.

126. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of Muhammadan and non-Muhammadan ministerial officers in the civil and criminal courts in the Pabna-Bogra and Tippera districts under the following heads:—

(*a*) permanent,

(*b*) temporary, and

(*c*) probationers,

at present and as in 1914;

(*ii*) the number of Muhammadan candidates who applied for appointments in the ministerial staff of the said courts from 1914 to 1922; and

(*iii*) the number of Muhammadans who were appointed?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) (*a*) to (*c*) A statement is laid on the table.

(*ii*) Fifty-three Muhammadan candidates applied for appointment in the criminal courts of Pabna from 1920 to 1922. No further information is available.

(*iii*) Fifteen Muhammadan candidates were appointed in the civil and 21 in the criminal courts of the districts of Palma and Bogra from 1914 to 1922. No further information is available.

Statement referred to in the reply to unstarred question No. 126 (i) (a) to (c), showing Muhammadan and non-Muhammadan ministerial officers in the Civil and Criminal Courts of Pabna-Bogra and Tippera districts.

District.	Year.	CIVIL COURT.						CRIMINAL COURT.					
		MUHAMMADAN MINISTERIAL OFFICERS.			NON-MUHAMMADAN MINISTERIAL OFFICERS.			MUHAMMADAN MINISTERIAL OFFICERS.			NON-MUHAMMADAN MINISTERIAL OFFICERS.		
		Permanent.	Temporary.	Probationers.	Permanent.	Temporary.	Probationers.	Permanent.	Temporary.	Probationers.	Permanent.	Temporary.	Probationers.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Pabna-Bogra	1914 ...	36	...	3	47	...	4	26	2	1	77	4	9
	1922 ...	37	2	2	48	...	6	26	11	4	79	7	6
Tippera ...	1914 ...	33	...	4	123	...	11	24	23	4	77	25	5
	1922 ...	43	2	5	114	4	10	27	30	5	73	57	4

Muhammadan Government employees in Rangpur.

127. Maulvi HAMID-UD-DIN KHAN: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to show, in a tabular form, for the last five years, the number of Hindu and Muhammadan officers in the ministerial staff in each of the Government departments in the whole of the district of Rangpur?

(*b*) How many *bona fide* Hindu and Muhammadan residents of the above district have been provided with ministerial appointments for the aforesaid period?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) The information is not readily available, and Government consider that the labour involved in its compilation would be incommensurate with the result.

Refusal of readmission to a plucked student into the 4th year class of the Presidency College.

128. Babu HEM CHANDRA BHATTACHARJI: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that a candidate who had been a regular student of the Hindu School for about eight years and of the Presidency College for four years was refused readmission into the 4th year class of the Presidency College from which he appeared at the B.A. Examination but got plucked for the first time?

(*b*) Is it a fact that a Muhammadan plucked candidate was admitted?

(*c*) Is it the policy of the Government to give preference to Muhammadan candidates?

(*d*) Is there any limit to the number of students to be admitted to the 4th year class? If so, what is that limit?

(*e*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the number of students admitted to the 4th year class during each of the last six years?

(*f*) If in the current year the number of students admitted to the 4th year class be less than that admitted in previous years, will the Hon'ble the Minister be pleased to state the reason for the refusal of readmission of that candidate?

(*g*) Was there any new admission into the said 4th year class before the publication of the B.A. results?

(*h*) If so, what is the number so admitted?

(*i*) What is the reason for taking in the new candidates instead of the plucked ones?

The Hon'ble Mr. P. C. MITTER: (*a*) Two plucked Hindu students were refused admission to the 4th year class. It is not known whether the candidate referred to in the question is one of them.

(*b*) Yes, but two plucked Hindus were also admitted.

(*c*) The policy of Government is to maintain a reasonable proportion of Muhammadan students in Government colleges. Twenty-five per cent. of seats are accordingly reserved for them.

(*d*) Yes. One hundred is the limit aimed at, but the numbers depend mainly on the number promoted from the 3rd year class.

(*e*) College sessions from 1st June to 31st May—

1921-22—99 students.

1920-21—87 students.

1919-20—95 students.

1918-19—126 students.

1917-18—109 students.

1916-17—88 students.

(*f*) The reason for refusing admission to the candidate in question is stated in answer to question (*i*) below.

(*g*) Yes.

(*h*) One admitted on transfer.

(*i*) Plucked students are not readmitted unless there is some excuse for their failure.

Deputation of officers to the flood-affected area and alleged inconvenience caused thereby to the parties.

129. Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware that owing to the deputation of officers to the flood-affected area in the district of Bogra, criminal and other cases are accumulating to the inconvenience and harassment of the parties?

(*b*) Are the Government considering the desirability of temporarily increasing the number of officers to remove the difficulties of the parties?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Government have received no information to this effect from the District Officer, but the relief work must of course interfere to some extent with the normal work.

(*b*) Should the District Officer apply for increased staff, the question would be considered.

Opening of sluice gates on the southern bank of Madaripur Bhil route canal.

130. Babu BHISHMADEV DAS: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether the Government are contemplating the opening of a sufficient number of sluice gates in the embankment on the southern bank of the Madaripur Bhil route canal in order to maintain, during the rains, the same water level on both sides of the embankment?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Government are contemplating the allowing of sufficient waterway in the southern embankment of the Madaripur Bhil route to keep the canal water level as low as possible.

System of supplying drinking water in Chittagong district.

131. Babu ANNADA CHARAN DUTTA: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number of tanks that have been excavated year by year in the district of Chittagong with the aid of the district board during the last 10 years, together with the cost incurred for such excavations?

(*b*) Will the Hon'ble the Minister be pleased to state what improvements have been effected under the new system of supplying good water by the excavation or re-excavation of old tanks and sinking of wells over the old system of paying by the district board two-thirds or some such percentage of costs for the excavation of tanks?

(*c*) If no improvements have been effected, are the Government considering the desirability of reverting to the old system?

Mr. S. W. COODE: (*a*) A statement is laid on the table.

(*b*) Under the Local Self-Government Act the Board had not adequate power to protect from pollution private tanks which had been re-excavated at its expense. When the Village Self-Government Act is extended to the district, the system of improving private tanks without acquisition can be readopted, as the union boards have adequate power of control under section 30 of the Act.

(*c*) The answer is in the negative.

Statement referred to in the reply to unstarred question No. 131(a), showing the number of tanks re-excavated by the Chittagong District Board during the last 10 years with the costs met by the Board.

Year.	Total number of tanks re-excavated.	Total costs met by the Board.
		Rs. A. P.
1912-13	5	1,506 0 0
1913-14	32	22,594 5 11
1914-15	53	33,256 10 9
1915-16	98	48,227 1 3
1916-17	21	13,216 4 4
1917-18	1	200 0 0
1918-19	1	764 1 0
1919-20	1	563 7 0
1920-21		.....
1921-22		.....

Scholarships to students of backward classes in the districts of Pabna and Tippera.

132. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of scholarships awarded to the students of the backward classes in the Pabna and Tippera districts during the last 10 years;

(*ii*) the names of such students, indicating the periods and courses for which the scholarships were granted;

(*iii*) the amount of scholarships in each case; and

(*iv*) the total amount of such scholarships?

The Hon'ble Mr. P. C. MITTER: The labour and expense involved in collecting the mass of information which the member's question involves is incommensurate with the value of the reply to the public.

Construction of sluice gates to drain out the water of Bhil Gazna.

133. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that there is a big bhil known as Bhil Gandahasli *alias* Bhil Gazna within the jurisdiction of police-station Sujanagar in the district of Pabna?

(*b*) If so, will the Hon'ble the Member be pleased to state the area of the said bhil and the names and number of villages surrounding it?

(*c*) Are the Government aware that the crops of the people of the villages and of the bhil are being destroyed every year by the sudden flooding of the bhil by the passing of rain-water through the Badai jola to the said bhil?

(*d*) Are the Government considering the desirability of taking early steps to construct sluice gates at the mouth of the jola?

(*e*) Are the Government considering the desirability of ascertaining the average amount of crops destroyed every year by the sudden flooding of the bhil?

(*f*) Are the Government considering the desirability of preparing an estimate for the erection of two sluice gates, one at Poradadanga and another near the mouth of the Badai jola?

(*g*) If the answer to (*f*) is in the negative, will the Hon'ble the Member be pleased to state the approximate cost of constructing sluice gates necessary to prevent the sudden flooding of the said bhil?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes.

(*b*) The area of the bhil and the names and number of villages surrounding it are not known to this department.

(*c*) to (*f*) No.

(*g*) The question does not arise.

Travelling allowances drawn by the Hon'ble Irrigation Member and the Hon'ble Local Self-Government Minister for visiting the flood-stricken area, etc.

134. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the amount of travelling allowance of the Hon'ble the Member in charge of the Department of Irrigation and the Hon'ble the Minister in charge of the Department of Local Self-Government, respectively, incurred for their tour to and from Darjeeling for inspecting the flood-stricken area in North Bengal on each occasion;

(*ii*) the number of times each of them visited the said area since the floods and what was the duration of the tours of each on each occasion;

(*iii*) the net results of the tours of each of these officers to that area; and

(*iv*) the names and numbers of officers employed on flood relief operations and the amounts spent on pay, travelling and other allowances for each of them?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) The information cannot be given now as the Railway authorities have not presented their bills yet. They draw no travelling allowance.

(*ii*) The member is referred to the reply to his starred question No. XXIX as regards my visit. The Hon'ble the Minister visited the area once. He arrived at Santahar on the morning of the 8th October and left for Darjeeling at night.

(*iii*) The determination of the necessary measures of relief by Government.

(*iv*) Fifty-six officers were employed excluding doctors. Their names have not been fully ascertained and the publication of them would serve no useful purpose at present. The amounts spent on their pay, travelling and other allowances cannot also be given as they are still employed.

Badwa Srirampur Bhil.

135. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether he is aware—

(*i*) that water remains till January in the Badwa Srirampur Bhil within police-station Patuakhali in Bakarganj;

(*ii*) that damage is caused to the crops which fail every year in that bhil; and

(*iii*) that the sanitation of the locality is affected by the stagnant water?

(*b*) Are the Government considering the desirability of instituting an inquiry into the matter and of taking steps for the proper drainage of the bhil?

(*c*) If the answer to (*b*) is in the negative, what steps, if any, are the Government taking to ameliorate the agricultural and sanitary condition of the people in the Badwa Bhil?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*), (*ii*) and (*iii*) No such complaint has yet reached the Government.

(*b*) Not in contemplation at present.

(*c*) No steps appear necessary at present.

Non-registration of "kabuliyat" of an under-raiyat to renew lease every nine years.

136. Maulvi FAZLAL KARIM: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware of the inconvenience that is caused to under-raiyats owing to the existence of a circular to the effect that the *kabuliyat* of an under-raiyat with a condition to renew the lease every nine years will not be registered?

(*b*) Are the Government considering the desirability of cancelling the circular and issuing instructions to the sub-registrars to that effect?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) The circular referred to is one based on the provisions of the Bengal Tenancy Act and the Registration Department has no discretion in the matter. Government are unable to cancel the circular unless the law is amended. The Minister is not in a position to state whether this provision of the Tenancy Act causes inconvenience to under-raiyats.

Damodar canal project.

137. Rai MAHENDRA CHANDRA MITRA Bahadur: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) the progress of the Damodar canal project; and

(*ii*) the amount of money spent up to date for the purpose?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) The commanded and irrigable areas which the proposed canal will serve, have been investigated as well as the duty of water. The project is now ready to begin the detailed estimate, but as the scheme is "non-productive" nothing further will be done till the requirements of the Bengal Agricultural and Sanitary Improvement Act, 1920, have been complied with.

(*ii*) A sum of Rs. 8,300 has been spent under the head "Surveys and Investigations" out of which the expenditure during the current year amounts to only Rs. 60 owing to work having been carried out by a permanent Assistant Engineer.

Audit report of the income and expenditure of the union boards in the district of Hooghly.

138. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing with the

audit report in each case the income and expenditure of each union board in the district of Hooghly under heads—

(*i*) establishments;

(*ii*) education;

(*iii*) roads;

(*iv*) sanitation;

(*v*) provision for drinking water, etc.; and

(*vi*) primary education?

(*b*) Is the Hon'ble the Minister aware that in the assessment of taxation by the union boards of the district of Hooghly, tax has been imposed on agricultural income, and that the general financial condition of the tax-payers has not been considered?

(*c*) Are the Government considering the desirability of taking any steps in the matter?

Mr. S. W. GOODE: (*a*) Copies of the audit reports are laid on the Library table. The compilation of the figures asked for would involve much time and labour and would not in the opinion of Government be justified.

(*b*) The attention of the member is invited to clause (*c*) of the answer given to unstarred question No. 82 asked by him at the meeting of the 4th July, 1921. The District Magistrate reports that assessment of taxation by the union boards has been imposed not only on agricultural income but also on other financial resources of individual tax-payers.

(*c*) Government do not propose to interfere with the discretion of the union boards in the matter.

Introduction of outposts under thanas in Calcutta.

139. Mr. BIJOYPROSAD SINGH ROY: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*a*) whether it is a fact that the system of outposts under the thanas was introduced in the Calcutta police in 1916 to check crimes and facilitate the detection of crimes, after the method of the London police?

(*b*) what is the annual increase of expenditure incurred on maintaining this new system of outposts?

(*c*) whether it is a fact that several houses have been rented for these outposts?

(*d*) If so, what is the annual expenditure under this heading?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) On the reorganization of the Calcutta police in 1916, modelled on the arrangements in force in the London police, the police area of Calcutta was divided into sections for the purpose of the control and investigation of crime and each section was divided into two sub-sections in charge of a sergeant for the purpose of patrol.

(*b*) Expenditure on this account is not kept on record separately.

(*c*) Yes.

(*d*) The annual cost of renting sub-section houses is Rs. 79,188.

Azimganj City station.

140. Babu SURENDRA NARAYAN SINHA: With reference to the answer given to unstarred question No. 172 of Babu Satish Chandra Mukharji at the August Session of the Council regarding the construction of platforms at Tribeni and Azimganj stations, will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state what circumstances have, in the meantime arisen, which justified an inquiry being made on the 12th October last, at the Azimganj City station, with the leading gentlemen of Azimganj and Jiaganj by the District Superintendent, Sahebganj, accompanied by the Traffic Manager, Howrah, in regard to a proposal to close down that city station?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): It is not proposed to close down Azimganj City flag station. The inquiry referred to was held in connection with certain proposals regarding economy.

Suresh Chandra Sen Gupta.

141. Babu SURENDRA NARAYAN SINHA: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that some time ago the Madras jail authorities addressed a letter to this Government anent the release of a political détenu, Babu Suresh Chandra Sen Gupta, since the Bengal Partition agitation days, and now an inmate of the Madras Penitentiary?

(*b*) Is it a fact that the release of this détenu has become due as long as three months ago, and that no reply has, as yet, been given by this Government?

(*c*) If the reply to (*b*) be in the affirmative, will the Hon'ble the Member be pleased to state the reason for the delay in reply?

(*d*) Will the Hon'ble the Member be pleased to state the decision, if any, which the Government have come to either in regard to the release or otherwise of the said détenu?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) to (*d*) Attention is invited to the reply to a starred question No. LVI on the subject asked by Shah Syed Emdadul Haq at this meeting.

Resolutions

(on matters of general public interest).

Mr. PRESIDENT: The Council will now resume the consideration of resolutions on matters of general public interest. I call upon Maulvi Rafi Uddin Ahmed to move his resolution regarding political prisoners.

Maulvi RAFI UDDIN AHMED: This resolution or its equivalent was moved in this Council and carried; but as no effect has been given to it, I have thought it fit to bring it up again. As I have been assured by the Government that the Hon'ble the Member in charge will favourably consider individual cases on our applying to him, I beg leave to withdraw the resolution which stands in my name.

It was as follows:—

"This Council recommends to the Government that they be pleased to grant a general amnesty to all political prisoners in Bengal, namely, those convicted under the Criminal Law Amendment Act or under the Penal Code for political offences."

The motion was then, by leave of the Council, withdrawn.

Release of political prisoners.

SHAH SYED EMDADUL HAQ moved that this Council recommends to the Government that those political prisoners in Bengal who have not been convicted of violence or of destruction of property or of incitement thereto, should be released immediately.

He delivered his speech in Bengali, a translation of which is as follows:—

In moving this resolution, I might observe that a similar resolution was passed in this Council only a year ago, but what action has been taken by the Government on it has not yet come to light. The Government are, therefore, losing the confidence which the people have hitherto reposed in them. The non-co-operation movement is now in its full swing. We have come to the Council to co-operate with the Government and although the Government might look upon us with an eye of distrust and suspicion, nevertheless our duty would be to co-operate with them whole-heartedly. Only a few years back the Government were looked upon as the *ma bap* of the people. But what is their position now? The people have no confidence in them now, and hence the origin of the secret societies and the non-co-operation propaganda in this country.

The saying is *al mazi azkuru*, that is, "do not speak of the past." Some of the political prisoners have been released as their term is over, and those who are still in the jail will be released sooner or later. Is

there any one in the House who will be in a position to say that these political prisoners have shown by deed or action any sign of the violation of law and order so long as they are rotting in jail? If not, then why should not the benign Government show clemency to them? These are only political prisoners. I confess, Sir, that I loathe the very idea of incarcerating these men for political opinions only. These are not ordinary criminals. Most of them have been arrested because they have uttered either *Bande Mataram* or *Gandhi Mahatma ki jai*. Not only this. Many innocent persons have also been sent to jail. Then, again, there are others who have not been liberated because they would not give security for their future conduct, or their thumb impressions. They are not actuated by any sordid motive. Their aspiration is noble and high, and they embrace jail life and all sorts of dangers in the pursuit of their cause. As a matter of fact, they are the flowers of the society, men of light and leading, men whose cause is the attainment of Home Rule and who do not like that the Government of the country should be in the hands of a foreign bureaucracy, and should be for years and years under paralysing subjection. If the Government apprehend that these men on their release will harangue the public and rouse the mass into action—action of an aggressive character—then they can be rearrested and sent back to jail. The law is yours and you can use it as you like.

I am sure the non-co-operators will sneer at me and treat my proposal for their liberation with scorn. It does not matter much. It is my duty to act up to my conscience. They will think that it is simply futile on my part to howl again and again, because they labour under the impression that it will be a cry in the wilderness. The Government, I am sure, will do something this time. Let me recite the famous Persian poem in this connection:

Tana giriad abar Kai Khandad chaman,

Tana giriad teft Kai joshand laband.

"so long as the child does not cry, it does not get food from its mother; the garden is not covered with verdure unless there is a heavy shower of rain." We have cried for these men in season and out of season, and we hope that the Government will do something this time. Sir, there is God overhead———

Mr. KRISHNA CHANDRA RAY CHAUDHURI: May I rise to a point of order? He is discussing religion.

Mr. PRESIDENT: We cannot allow that. You must confine yourself strictly within the limits of the terms of your resolution and you must not enter into questions of religion or anything else which is not included within the terms of your resolution.

SHAH SYED EMDADUL HAQ criticised the ruling of the Hon'ble the President.

Mr. PRESIDENT: You need not refer to my ruling. You must discuss your resolution. You must keep within the terms of your resolution, or I cannot allow you to go on.

Babu INDU BHUSHAN DUTTA: Whatever we may think of the political tactics of the Shah Sahib, I think, we ought to admire his persistence in this Council. The question of political prisoners has been a bone of contention between this Council and the Government for a long time, and I think that it is quite time enough that some finality was arrived at about the policy which the Government have adopted in dealing with these prisoners.

More than a year ago, this Council by an overwhelming majority recommended to the Government that non-co-operation political prisoners might be forthwith set at liberty. There was a great deal of discussion, the political situation of the country at that time was discussed and in spite of Government opposition, that resolution was carried.

Then, again, during the last August session of the Council, when I moved an adjournment of the House in order to discuss the treatment of political prisoners in Barisal Jail, most of us, who spoke on that resolution, demanded that all the political prisoners who were still in jail, against the recommendation of this Council, should be forthwith set at liberty. What has Government done? How has Government accepted the recommendation of this Council? I have heard - I suppose I ought to say I heard with pleasure - that the Hon'ble the Member in charge has lately released many of these political prisoners but they have not released all of them, and I do not know why the rest of them have not been released. The policy which the Government of Bengal adopted in dealing with them has remained the same, and I think that it is for this Council to insist that the recommendation of the Council should be forthwith accepted by Government.

We have all heard about this experiment of dyarchy, but I ask the Hon'ble the Member in charge in all seriousness, whether by ignoring, by deliberately ignoring, the recommendations of the Council, the Government is giving a practical demonstration of this unique experiment on responsible Government? People think that we are here doing no good to the country, that our recommendations fall flat. Why is this that our voice is regarded as a cry in the wilderness? Is it because it can be ignored with impunity? Even the Executive Government must admit that as far as they are concerned, the political situation of the country is now much better than what it was more than a year ago. They have no complaint against the party to whom these prisoners belong, and I can say, without fear of contradiction, that many of these prisoners would not

have gone to jail, had they but cared to defend themselves in the law courts. It is a well-known fact that most of them made no defence at all. I have myself examined some of the cases and I do not find that there was any particular case against many of them. Therefore, I think that it is but fair and just that the Government should listen to the voice of the Council—a voice which has been repeated more than once— and set all of them at liberty

Rai HARENDRANATH CHAUDHURI: I do not know what is the reason for my friend the Shah Sahib coming forward with such a resolution. There was the recommendation of this Council that all political prisoners, *i e*, persons incarcerated under the repressive laws should be set at liberty. That recommendation was made long ago Government at that time made much of the political situation prevailing then So far as I remember, the Hon'ble Sir Henry Wheeler said that civil disobedience was coming and that Government could not allow these political prisoners, who would be used as volunteers for preparing the ground for civil disobedience, to come out of jail at that critical time Probably the Shah Sahib encouraged by the present political condition and also by the recommendations of the Civil Disobedience Committee, has brought forward this resolution It is known to all of us that the tension has been much eased and that non-co-operators are not going to launch civil disobedience Under these circumstances, I think the Government might in the absence of that ground, be well advised even from their point of view to accept this resolution now Moreover, the Shah Sahib's resolution says that only those prisoners should be set free who are not in any way guilty of violence I put a question some time ago as regards the number of political prisoners who were guilty of violence, and in answer to that, Government said -so far as I remember – that only an insignificant number was guilty in that way When that is the case, I think there is no harm now, regard being had to the present political situation, in accepting the resolution of Shah Syed Emdadul Haq.

The Hon'ble Mr. H. L. STEPHENSON: I regret that this resolution has been brought forward because it tends to stir up the ashes of old controversies and I regret it the more because the Shah Sahib, in bringing forward this question, admits himself that his only reason for doing so is that he is like the importunate widow It always seemed to me, with all due deference to my colleague, that the unjust judge in that case was a civil judge and not a criminal one In any case I cannot see how he could, on the ground merely of the importunities of the widow, have either released or put into prison any body of persons. Government is in the same position Merely because of the importunities of the Shah Sahib, I am afraid we are unable to alter our attitude.

The mover admits that he does not know who these prisoners are, where they are, or anything at all about them There is a considerable

amount of misapprehension about the present position as regards what are known as political prisoners. Their total number is, I think, smaller than is usually thought. The last jail return I have received shows that there are 220 prisoners called non-co-operators. That includes not only all prisoners received back from the Andamans, who were sentenced to transportation for life many years ago, but all those who have been convicted for seditious writings or seditious speeches, and it further includes everybody else, who was convicted of any offence whatever, calling himself a non-co-operator. I think that I am right in saying that except those who were convicted of seditious writings and speeches, there is practically no one in jail now who was arrested in those troublous months, January, February and March last year. There are very few—I have not analysed the figures and, therefore, I speak subject to correction, but I should say that there are not more than 20 to 30 people in jail who have been convicted under the Criminal Law Amendment Act. The remainder include the Andaman prisoners and a certain number of those who were convicted for seditious speeches and writings. In that connection, to show what attitude the Government have taken up, I would point out that a statement showing prosecutions for seditious offences during the period June, 1921, to November, 1922, includes 15 convicted under section 124A, of whom three have been released including one on apology; nine convicted under sections 124A and 153A of whom four have been released; two convicted under section 153A, both of whom have been released, for seditious writings, one was convicted under section 124A and six have been released on apology; under sections 124A and 153A combined, three were convicted and they have all been released.

As this motion has been brought forward, I think that it is my duty to explain once more to the Council what the position of the Government is. We have been addressed on several occasions for an amnesty. I quite admit that the Shah Sahib does not go so far as that. He only wants the release of a certain class of prisoners. But with regard to the question of an amnesty, I put it to the Council that there must be some basis for Government to exercise its powers and grant an amnesty. Amnesties are granted on occasions of public rejoicing, though the Jail Committee has voiced, what I think is a very general opinion, that the release of ordinary convicts on society is not perhaps the best way of showing public rejoicing; but what is the basis of this request for an amnesty of which the Shah Sahib's resolution is merely a branch?

In the first place, whom do you call a political prisoner and what is a political offence? The Jail Committee discussed the question of political prisoners and political offences from the point of view of the motive, and they have definitely recorded their opinion that there is no justification for treating an offender specially because of his motive. The claim that offenders should receive discrimination because of the motive of their offence, if pushed to its extreme, amounts to this: that

murder is not murder if the victim is a political opponent, and that dacoity is not dacoity if the money is used to obtain arms to overthrow Government. That is an extreme statement of the case. Government have never recognized, and are not prepared to recognize, that the motive for a crime gives any claim to special treatment after conviction. The motive may often quite properly be taken into account in awarding sentences by the court, but once the sentence has been awarded, the motive does not give to Government any justification for not carrying out that sentence. If we remove the question of motive then a political offender is a man who has committed an offence against the State. Well, I put it to the Council that offences against the State, though they may involve no moral turpitude, are surely as serious as offences against private individuals. I would put it further that they are really more serious inasmuch as they strike at the very basis of the State which protects the rights of private individuals. They, therefore, in striking at the State, strike at the rights of all private individuals, and I will ask the Council whether they are prepared to agree to a proposition that offences against the State are venial.

If we remove these two—the question of motive and the idea that offences against the State are venial—then I think that the Council will agree that there remains no reason why special treatment should be accorded as a class to political offenders, and Government adhere to the position that they have always taken up, that they cannot deal with these offenders as a class.

The reasons which were brought forward for the release of individuals would presumably be that the sentences were too severe owing to the circumstances under which they were passed, or that the sentences already served are sufficient to achieve the object of the punishment, deterrent or reformatory. I would read to the Council an extract from a speech of His Excellency at Mymensingh on the 7th August last dealing with this very question. His Excellency said:—

> With regard to the demand for an amnesty for all political prisoners, I have only two things to say. The first is that whenever it is represented to me or I have reason to believe that sentences of imprisonment are for some cause or another unduly severe or inappropriate to the offence committed, I shall always take steps to have them reviewed. I have in fact recently reviewed the sentences of persons imprisoned for offences in connection with the non-co-operation movement in Mymensingh with the result that eight have been released and four have had their sentences considerably reduced.
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> The second thing I have to say is that the only justifications for a general release of persons who have committed offences against the law in connection with a political agitation would be, if circumstances had so changed that the agitation itself were at an end and that the persons released would be under no inducement to renew their illegal activities. Such a situation may arise one day in connection with the non-co-operation movement. It has not arisen yet. It is not even contended by those who ask for a general amnesty that such a situation has arisen. All that is stated is that "the peace of the country is not seriously endangered." That is true, but it is only true because those who have disturbed it, and would disturb it again if they could, are now in prison.

That is the argument of the Shah Sahib, that after all there will be no harm, but to their previous decision Government adhere. We are always prepared to review the case of any individual which is brought to our notice. We have comparatively recently reviewed the cases of all prisoners in all districts and have released a very large number of them and reduced the sentences of a good number more. We have also issued orders that we are prepared to forego the bonds for keeping the peace in the case of a certain number of prisoners who have served their substantive sentences but who are still in prison because they refused to give the bonds required by the Court to keep the peace. We have said that we no longer wish to insist upon these bonds because of the present altered conditions of the country. I have already told some members of the Council that if they send me the name of any individual who they think has been either unjustly treated or has already served a sufficient portion of the sentence, I am always prepared to consider and review and, if necessary, to send for the records and look into the case myself. Some members of the Council have already brought such cases to my notice; whether they are satisfied with the orders passed or not is a different matter.

Lastly, Sir, I would ask the Council whether the second condition laid down in His Excelency's speech is fulfilled. Government frankly admits that the present condition of the country is very different from what it was six months ago, but can it be said that every thing has been washed out?

We have recently had the report of the Civil Disobedience Committee—Rai Harendranath Chaudhuri is optimistic enough to say that civil disobedience is dead—and I would ask every member of the Council whether he could say, after a perusal of that report, that race hatred or civil disobedience was dead? The whole of that report breathes one long intention to work up civil disobedience and civil disobedience in its final and most fanatical form. Both sides of the present controversy in non-co-operation quarters put forward civil disobedience as what they are aiming at. Those who wish to enter the Councils wish to do so in order to put the Councils out of their way so that they may have a free hand for civil disobedience. They recognize, I am glad to say, that the Councils are a bulwark against civil disobedience. Those who are not in favour of entering the Councils put it on the ground that entering the Councils will take away their energies from pursuing their main object which is civil disobedience.

The statement of Mr. Gandhi made last year has remained uncontradicted that the whole object of creating volunteers and enrolling volunteers is to prepare the way for civil disobedience. Even such bald and unconvincing sketches of a politically constructive programme as are put forward, give us no reassurance. The only programmes I have seen put forward—and I read the non-co-operation papers sedulously—have been in the direction of Communism tinged with Bolshevism.

Therefore, although I thankfully admit that the situation is very different from what it was last year, I think that the Council will not be prepared to say that the whole danger has passed, and that on that account we should make a clean sweep of the men in jail. I have not examined in detail the figures of the men in jail and I do not know, therefore, precisely to how many this resolution would actually apply, but I would repeat, in conclusion, that Government will always be willing to consider and review any individual case that may be brought to its notice, and where Government are not prepared to release any particular individual about whom a request is made to us, I should be prepared to give the member, who makes that request, the reasons why Government are not in a position to grant it. I think that the Government's position is fair and logical and I think that the Council will be prepared to accept it.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I cannot conscientiously say that the whole danger, as the Hon'ble Mr. Stephenson has said, of political turmoil has passed away. He has made a good case against the general amnesty. But there are occasions when a little mercy is politic. I believe, Sir, that though the whole danger has not yet passed away the agitators have come to see the folly of their ways. That being so, Government may be a little more lenient than they were before. I know many of those who have been imprisoned are men of very high character, men who have been misled by such cries as we heard yesterday—that thirty years or forty years is an absurdly long period for the attainment of *swaraj*. These misleaders are really at fault and not these men. As regards these men I cannot say that when they have committed offences, such as dacoity or crimes attendant with violence, they should be treated differently from other criminals. But in all cases, Sir, when you find that these people have been misled, you may be merciful and even if you cannot let them go, you could treat them as simple prisoners. I do, Sir, earnestly entreat that all these prisoners may be treated as prisoners with simple imprisonment. Now the Hon'ble Mr. Stephenson has said that he will in every particular case give every consideration to the question as to whether they should be released or not. I would suggest that he should take with him a committee of two such Indian gentlemen whom he can trust and two of his own officials and judge once more every case and see whether any one of these persons could be released. Now, Sir, I do not know whether Shah Syed Emdadul Haq will, in view of the assurance given by the Hon'ble Mr. Stephenson, withdraw his resolution or not. I would ask him to withdraw it and would ask the Hon'ble Mr. Stephenson to consider my suggestion.

Maulvi YAKUINUDDIN AHMED: This resolution is a corollary of a resolution already passed by the Council for releasing the political prisoners. I think the resolution ought to have been amended in this

way: "That the Government be asked to give effect to the resolution already passed for releasing the political prisoners." That would have obviated the drawbacks that are facing us at present. Shah Syed Emdadul Haq's resolution says: "Prisoners who have not been convicted of violence or of destruction of property or of incitement thereto, should be released immediately." Therefore, it is a harmless resolution and as a corollary to the resolution already passed by this Council ought to be accepted by this Council.

With these words I commend the resolution.

Dr. JATINDRA NATH MOITRA: I think I should support the resolution which has been made by my friend, Shah Syed Emdadul Haq. Many of these prisoners, Sir, have been convicted under the repressive laws for some technical offence, such as being simply office-bearers of the Indian National Congress or for holding meetings in prohibited areas. Into the merits of these laws I have no mind to enter at the present moment. What I want to impress on you is this, that the terrible excitement through which the whole of India passed last year at this time has considerably subsided and there is distinct evidence of many of the non-co-operators not only resuming their even tenor of life, but also coming forward to enter this Council Chamber. After the exigencies of the situation demanding incarceration of a number of political prisoners last year the situation has so much altered now that there is hardly any justification for continuing those repressive laws, and I cannot believe that Government has any desire to be unnecessarily vindictive. I do not believe that the leaders of the non-co-operation party are criminals in the strict sense of the term, and it is also true that many of them have got intelligence and ability which is in no way inferior to many of us here. To win the confidence of such men, to win their love and affection, to win their co-operation in all matters relating to the contentment and happiness of the people of the country, should be coveted by all governments, and not a single day should be lost in bringing about this end. If a few subjects of the British Government have shied and bolted away like restive animals, prudence demands gentle handling and not the use of whips and batons. Sir, sympathy is known to be the universal solvent, and if Government take the people into their confidence meting out justice, they will see that in a very short time their so-called enemies will be turned into their staunchest friends and that is a possibility which no Government ought to ignore.

Rai RADHA CHARAN PAL Bahadur: I rise to give my support to the resolution which has been moved by Shah Syed Emdadul Haq. Personally I may say this, that I am not a non-co-operator nor do I wish the Reforms to be wrecked. I am glad to find that the times are rapidly changing. I find that this is the most opportune time when

the Government should stretch forth its hands of co-operation to the people who had been some time ago under a mistaken notion and had gone over to the other camp. I may say, as far as I can judge from the attitude of a large section of my countrymen, that those who some two or three years ago so rigidly refused to co-operate are gradually veering round and considering whether they should or should not co-operate with the Government and enter the Council. There may be some voices still harping on the old theme of non-co-operation, but on the whole, I think, that there is a perceptible change in the attitude of those who have so long held themselves aloof. I think, therefore, that this is the opportune time for Government to exercise that wise statesmanship which has not unoften characterised its efforts in the past, and I hope that the Hon'ble Mr. Stephenson, who has now assumed charge of one of the most important departments in the administration of Bengal, will exercise this statesmanship which will result in bringing round all sections of the community together and thus making responsible government a real success in Bengal

Babu KISHORI MOHAN CHAUDHURI: Some time ago, this Council recommended a resolution of this nature and practically this resolution is a reiteration of the same prayer. Our resolution, so far as this matter goes, is practically a recommendation to give effect to the old resolution. How far Government would be able to accede to our request and how far it would be possible for them to give effect to the resolution is not known to us, and we cannot bind the Government to carry it out in its entirety I think we ought to give the political prisoners opportunities to come to this Council and to co-operate with the Government or to make suggestions for reasonable improvements in our political situation Political prisoners have been acting against the principle of conduct that we have been following. It is a political grievance on their part They say that we have not been doing any work here for the benefit of the people. The several retrenchment committees show that really there are these grievances—really things are not in their proper order. If they urge to minimise the cost or allow a further privilege to the people, or grant dominion government, I do not think they should be harshly treated for that. If there is anything serious, of course, that can be properly dealt with under the existing provisions of the law. In this state of things I think it will not be wrong on my part to appeal to Government to consider the situation and to ask the Council not to do a thing which would be wrong on their part. Some time ago the Council recommended this. I see no harm on the part of Government in accepting the resolution. It would be rather inconsistent or it would be rather unreasonable on the part of Government to say that, as far as possible, effect would be given to it. This is a thing in which we are simply acting in the spirit of conciliation. The polifical prisoners are imprisoned

for really giving vent to their grievances for the benefit of the people. They should be treated leniently and given opportunities to come to the Council. I do not think they would come here to wreck the Council. Government is necessary for every society, for every country. Without government no country can proceed. Some sort of government is necessary. The only difference between the non-co-operators and co-operators is that one party is thought to be dependent upon Government to proceed gradually, while the other party simply say give us something at once which will do real good to the country. Practically under the Reforms Scheme, the Government are in a difficulty. The cost of the administration of Government has gone up very high. So on that point we cannot say that they are wrong. If, under the circumstances, some of them could come and say that they have come here for non-co-operation, but still it must be obvious that they will be satisfied that there is a genuine desire on the part of Government as well as on the part of the members to do real good to the people, then I do not think they could wreck a Government of that sort.

Mr. PRESIDENT: The member must know that we are not discussing now the advisability of the non-co-operators standing for election or not. We are only discussing the question of releasing political prisoners of a certain category from jails.

Babu KISHORI MOHAN CHAUDHURI: I understand the situation. I may say that we should not be very particular about it and that we should proceed whatever may be their attitude. Our attitude should be one of conciliation, and if that could be helped without any special difficulty being created by Government, they should be released.

In this view I support the resolution and appeal to Government to consider this point.

Khan Bahadur Maulvi WASIMUDDIN AHMED: I support the resolution of the Shah Sahib not because the Government should show any sympathy for the movement but it is for doing something else. There was a time when many people without understanding the real import of the question of non-co-operation simply followed their leaders for whom they had some sort of affection and respect. Out of respect for the leaders they often followed them without understanding the real thing. At that time when there was a general run after these leaders and it was reasonable and necessary for Government to take some action in order to put a stop to people following their leaders without thinking. There is a difference between ordinary hardened criminals and these political prisoners who wanted to do something without understanding any real thing, without showing any moral turpitude in the way of causing destruction of property and inciting other people to do something. They simply out of their youthful affection for some people or for consideration for some leaders went astray and I think

by this time they have found reason for amending their future conduct. Of course, Government can say that unless they ask for it why should we give it. But there is a difficulty in their way. They gave out to their friends that they were going to join the non-co-operation movement and will not ask anything from Government. Therefore, they are refraining from asking any favour from Government. But the same consideration cannot stand in the way of Government. Government is a high authority and it is above all these petty considerations. But if Government in this way releases comparatively innocent people, who did not show any moral turpitude, who did not cause any disturbance or did not incite other people to doing something very wrong, they will be showing some magnanimity and also make some distinction between these people and ordinary criminals.

Babu TANKANATH CHAUDHURI: Last year this Council passed a resolution recommending the release of the political prisoners. My friend, Maulvi Yakuinuddin Ahmed, has rightly said this resolution is only a corollary to that resolution. We should try to reconcile all elements in the country in order to have a full representative government. We all of us know that jails do not act as a means of changing the opinion of the people, but if they are sent to jail without due recognition of all their actions it only makes those so sent to jail to cling to their opinion more firmly. In many cases we know that non-co-operators have been sent to jail on the flimsy evidence of the chaukidars and daladars, who themselves are not beyond much suspicion. My point is that things are becoming normal in the country and it is better to help this atmosphere of peace that is coming in the country. Many of the people who have been sent to jail for political offences have served their terms for a long time and the effect of clemency should be tried in them.

With these few words, I support the resolution.

Rai MAHENDRA CHANDRA MITRA Bahadur: I desire to speak a few words on the subject. We have listened to the lucid speech of the Hon'ble Mr. Stephenson. He thinks that if a concrete case be made to him he is prepared to consider over the matter. The request has been made by the Council once and the Council came to the conclusion that the political prisoners ought to be allowed to be released. This request again is made to the Council to-day—a request not on behalf of any individual but a request on behalf of all. Therefore, it is necessary for Government to consider over the matter again because it is the voice of the Council, and if that be so, the Government will be in a position to consider which prisoners ought not to be allowed to go away and which prisoners ought to be allowed to go.

Mr. PRESIDENT: Before I call upon the Shah Sahib to reply I would ask him to remain in the same place from where he moved his resolution. I have been looking for him for some time past and I find him now on the opposite side of the House.

SHAH SYED EMDADUL HAQ replied in the vernacular.

The Hon'ble Mr. H. L. STEPHENSON: I will not detain the Council long, but I should like to say a few words with regard to some of the observations of the speakers who have spoken since my reply. I think I may claim that these speakers have not affected my position. The speeches have been in the main an appeal to the idea that sympathy with the non-co-operators would turn them into co-operators. Sir, if there were the slightest chance of turning the non-co-operators into co-operators I would accept the resolution. But the whole past history shows that there is not the remotest chance of such a reaction to clemency. Babu Kishori Mohan Chaudhuri appeals to Government not to treat its political opponents harshly and says that if any wrong has been done by them they could be dealt with under the existing provisions of the law. Of course this is precisely what has been done. He, however, goes on to urge Government to accept this resolution and promise that as far as possible effect may be given to it. Well, Sir, I am always out for compromises, but I do not see how it can be possible to accept a compromise of that kind. What does it mean? Of course it is possible to give effect to the resolution, there is nothing to prevent Government from exercising its powers under the Criminal Procedure Code and releasing the prisoners. The addition of "as far as possible," therefore, is meaningless.

Then Khan Bahadur Maulvi Wasimuddin Ahmed spoke of those who had been misled through ignorance. I can assure him that there are none in jail at the present moment who have been misled through ignorance unless they have been convicted in the last month or two and I think it would be safe to say that any one who has been convicted of an offence against the law after this year of turmoil cannot claim to have acted in ignorance. The people, whom the Khan Bahadur doubtless referred to in his speech, were those who were convicted in very large numbers at the beginning of the year; but I desire to assure him and I think I can say with certainty that there are none of those, except the leaders who do not fall within this category, who are still in jail.

I come now to the first speaker, Rai Bahadur Jogendra Chunder Ghose, who appealed to me to associate myself with a committee to go through these cases. I am afraid, for reasons which have been explained to this Council on many occasions while considering a proposal of this kind, that Government are not prepared to accept that. What we are asked to do is to exercise the power conferred by the Criminal Procedure Code on the Executive Government to over-rule the verdict

of the criminal court. That is a matter in which a great responsibility is placed on Government, and Government are not prepared to abdicate their position and share the responsibility; the responsibility is theirs. It has been put forward that the promise to go through any cases which are brought to our notice would be of no avail because members do not know the cases individually. Within the last three months the District Magistrates throughout Bengal have reviewed every case in which a man has been convicted and was still in jail. They submitted to Government a list of all the cases of the men who were in jail in their districts and gave their recommendations in each case. In some cases, Government before passing final orders sent for the records for examination. In other cases they passed orders on a report of the District Magistrate. I am quite willing, if it affords any satisfaction to the Council, to undertake to go through these reports again and see whether there is any case in them in which it is desirable that Government should send for the records and go through them. But I am afraid I am unable to accept the proposal to associate myself with a committee in this matter and to pass on to the committee the responsibility which the law has placed on Government.

The motion was then put.

Mr. PRESIDENT: I think the Noes have it. (He paused for some time.) The Noes have it.

A few seconds later Shah Syed Emdadul Haq stood up and asked for a division.

Mr. PRESIDENT: You did not ask for a division in time, Shah Sahib. I waited for you. I cannot allow it now.

Withdrawal of resolution.

The following resolution standing in the name of Munshi Ayub Ali was, in the absence of the member, deemed to be withdrawn:

"This Council recommends to the Government that instructions be issued to district boards to take necessary steps at their own cost for the eradication of the nuisance of the water-hyacinth in the areas under their jurisdiction, and under the jurisdiction of local boards and union boards, and that by-laws be framed dealing with areas outside their jurisdiction."

Eradication of water-hyacinth.

SHAH SYED EMDADUL HAQ moved that this Council recommends to the Government that instructions be issued to district boards and municipalities to take necessary steps at their own cost and at the cost of the owners where the tanks, ponds and low land are within

their private properties, for the eradiction of the nuisance of the water-hyacinth in the areas under their jurisdiction.

He delivered his speech in Bengali, a translation of which is as follows:—

In moving this, I might say at the very outset that nobody in this House need be told very much as to the necessity for the acceptance of such a resolution. It must be admitted that the nuisance of the water-hyacinth is not only dangerous to public health but also impedes agricultural improvements. It is, therefore, eminently desirable that this nuisance should be removed as soon as possible. In the District Board of Tippera the authorities have penalised the existence of this nuisance in any tank or khal in their jurisdiction, and the union boards of the district have also been instructed to adopt the same course. I have followed the same principle in my union boards and this nuisance was removed in my area. But as soon as the rains set in in the month of *Sraban* last, the water-hyacinth of other districts flooded my union, and my endeavours to make my union board a model one in this direction were in vain. Sir, it will not do if we remove the plague from one particular area. Even if the whole of Bengal is rid of this evil, our position will not be safe. The water-hyacinth of other provinces, for instance, Assam, will come in through the channels of communication, and spread over the whole country again. Let Bengal be swept away in the first instance, and when we have done this, we might move the Government of India to see that our sister provinces from whom the recurrence of this evil is apprehended also do the same. In that case there will be no chance of fresh accumulation of this obnoxious plant.

I understand that the matter is now under the consideration of a committee which has been formed for the purpose. It is one thing to have a committee and it is quite another thing to give practical shape to their recommendations. The problem, I submit, Sir, is fraught with many practical difficulties. We must obviate them, and unless the Bengal Government come forward to help us, the evil can never be overcome. We are villagers, but we claim to have a deeper interest than the members on the committee formed. If the Government consider it expedient to elicit public opinion in this matter, the proposal will be welcome to all. We are prepared to help the Government by all means.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): I think it would simplify matters and at the same time curtail the discussion if I were to intervene at this stage, and say at once that on behalf of Government we accept the resolution. This is a very difficult matter. Sir, America with her vast resources has not yet been able to eradicate the water-hyacinth, and it is said—I hope, not maliciously—that the water-hyacinth is an American introduction to India. However that may be,

Government has been fully alive to the necessity of taking steps to eradicate this great nuisance. A committee was appointed with Sir J. C. Bose as its President. My friend, the mover, is mistaken in thinking that the committee has not been doing anything at all, and that it has been sleeping over its business, while the people are being bitten by snakes. I may assure the Council that it is not so. The committee has submitted its report, and the report is in the press. The committee has thus done something, and no doubt Government will consider the matter and pass orders in due time. In the meantime, some district boards have not been idle over this matter. I understand the District Board of Dacca and one or two other district boards have issued by-laws; I further learn that the District Magistrate of Dacca called a sort of conference of the people for the purpose of taking steps to eradicate the water-hyacinth, but unfortunately the response to the appeal was very poor. However that may be, I do not wish to trespass further upon the time of the Council. On behalf of Government, I am prepared to accept the resolution.

Rai Dr. HARIDHAN DUTT Bahadur: I am very glad to find that the Hon'ble the Minister has accepted this resolution. I have very great sympathy with the purpose for which the resolution has been brought before the Council to-day. During the last three or four years, almost all over Eastern Bengal and of portions of Western Bengal, the menace of the water-hyacinth has become the topic of the day. We discussed this matter during the last session of the Council and, as a result of our deliberation, as the Hon'ble the Minister has pointed out, we appointed a committee. That committee is composed of eminent scientists who are certainly expected to discover a remedy which will eradicate the water-hyacinth from Bengal; but, in the meantime, I feel that we have our duty to perform, and it is quite possible that if we make efforts in that direction, we may achieve a great deal of work even without the help of scientists. I have always been unable to understand why an individual or even a municipality or a district board should be allowed to keep more territories than it can possibly manage. It is, to my mind, improper that a zamindar or a landholder should be allowed to possess an area of land which he cannot control or keep in proper order. To prevent this, the best course is the framing of by-laws so that the individual owner of the land would be held responsible for keeping the land in proper condition. If such by-laws are enforced, then I would humbly suggest that the water-hyacinth menace may be over in no time. We find that the water-hyacinth is playing havoc in almost all the districts of Bengal; so I think that much useful work will be done if the municipalities and district boards concerned pass a by-law enjoining on the zamindars and landowners not to allow the water-hyacinth to grow in their compounds or tanks. That is the reason why I feel sympathy for the resolution which just been moved.

I find, Sir, that in Brahmanbaria, in the district of Tippera such by-laws have been already passed and published in the *Calcutta Gazette* of the 16th November, and have received the approval of the Hon'ble the Minister. I feel, Sir, and I do believe that it will not be out of place for us to submit that he will circularise the district boards and municipalities of Bengal advising them to pass similar by-laws to eradicate the pest of the water-hyacinth.

Babu SURENDRA NARAYAN SINHA: I gave notice of this resolution with the intention of drawing the attention of Government to the nuisance of the water-hyacinth. But as I have learnt from the Hon'ble the Minister and also from Mr. Donovan that the report of the committee presided over by Sir J. C. Bose had not yet been published, I think it is not the proper time to move it. I beg leave, therefore, to withdraw the motion, and at the same time I hope that Government will expedite the publication of the report.

The following resolution was then, by leave of the Council, withdrawn:—

"This Council recommends to the Government that a suitable contribution in money be made to Sir J. C. Bose in order to help him in the conduct of experiments into the causes of the water-hyacinth and the means for its eradication from the province of Bengal."

The Hon'ble Sir SURENDRA NATH BANERJEA: The resolution contains the word "instructions." We are not in a position, Sir, to issue instructions to district boards and municipalities. These are statutory bodies and Government cannot order or issue mandates upon them. All that we can do is to advise them; therefore, the resolution may be altered in the way I suggest, namely—"this Council recommends to the Government" that district boards and municipalities may be advised to take necessary steps at their own cost and the cost of the owners where the tanks, ponds, and low land are within their private properties, for the eradication of the nuisance of the water-hyacinth in the areas under their jurisdiction."

I think my friend will accept that.

Mr. PRESIDENT: Do you accept it, Shah Sahib?

SHAH SYED EMDADUL HAQ: Yes, Sir, I do.

Khan Bahadur Maulvi EMADUDDIN AHMED: I beg to speak only a few words about the legal point involved in the working of the by-laws, and respectfully draw the attention of the Hon'ble the Minister to it.

At the very beginning we were doubtful as to how the by-laws would stand in course of trial. The District Board of Rajshahi framed such by-laws, but after some time found it difficult to enforce them. We have been told that when tested, these by-laws will not stand and that the

people have stubbornly refused to act according to them. We have also learnt that we cannot legally proceed against those that do not obey these laws. Our legal advisers say that they will not stand close scrutiny in a court of law. I, therefore, request that the Hon'ble the Minister will take legal advice on this point and consider whether they are effective, and, if not, how they may be rendered so.

Rai RADHA CHARAN PAL Bahadur: May I have some information from the Hon'ble the Minister on the point, raised just now, as regards the inoperativeness of the by-laws?

The Hon'ble Sir SURENDRA NATH BANERJEA: We have that point in our mind and we will consider the matter.

The resolution of Shah Syed Emdadul Haq, as amended by the Hon'ble Sir Surendra Nath Banerjea, was then put and agreed to.

Reorganization of the Subordinate Educational Services.

Rai MAHENDRA CHANDRA MITRA Bahadur: I move that this Council recommends to the Government that the Government resolution No. 464-Edn., dated the 3rd March, 1922, in connection with the reorganization of the educational services below the Bengal Educational Service, be modified at an early date as follows:—

(*1*) that the scale Rs. 150—10—250 be replaced by a new scale Rs. 150—15—300 and that 25 per cent. of officers engaged in teaching work be placed on it;

(*2*) that the scale Rs. 75—5—200 be replaced by a new scale Rs. 75—5—150 (efficiency bar)—10—250;

(*3*) that the scale Rs. 50—2—80 (efficiency bar)—3—110 be replaced by Rs. 50—4—110 (efficiency bar)—4—150; and

(*4*) that the benefit of the proposed scale of pay be granted to officers according to the length of their services in the appointments concerned.

In moving this resolution I am only performing a duty we owe to the members of the Educational Service in Bengal. My resolution, it has to be admitted, is a very modest one. It only aims at certain reasonable modifications of the recently adopted reorganization scheme of the Educational Services below the Bengal Educational Service. The members of this particular section of the Educational Service have suffered long and I cannot help saying that justice demands that those who have long suffered in silence should be the first to receive kind and favourable treatment at the hands of the department at the time of the revision of pay. In my resolution to-day I have stated in explicit terms the modifications necessary in the reorganization scheme and I have no doubt that the Council will concede that they are of a very modest character.

The results of the deliberations of the Wordsworth Committee have been the recently adopted reorganization scheme of this particular section of the Educational Service in Bengal; but an examination of the conditions, rather new conditions, of the scheme will show that there are many glaring anomalies and discrepancies in it. It is singularly unfortunate that they have passed undetected.

The revision of pay recently sanctioned has been quite inadequate to meet the legitimate demands of the teachers who belonged to the old Subordinate Educational Service, and "that far from improving their prospects, it has made their position worse." Their maximum pay has not been raised, but curiously enough has been reduced. This harmful anomaly ought to be immediately removed.

The Government of Bengal, as I have stated at the outset, have reorganized the Educational Services below the Bengal Educational Service by its resolution No. 464-Edn., dated the 3rd March, 1922, and has sanctioned the following scales for the teaching line of the officers of the Education Department:—

(1) Rs. 150—10—300 (efficiency bar)—10—400 with a selection grade of 3 officers on Rs. 450 (for 79 lecturers and demonstrators).

(2) Rs. 150—10—250 (selection grade for Assistant Headmasters only).

(3) Rs. 75—5—150 (efficiency bar)—5—200 (for English teachers).

(4) Rs. 60—4—120 (efficiency bar)—4—160 (for senior classical teachers).

(5) Rs. 50—2—80 (efficiency bar)—2—110 (junior classical and vernacular teachers of High English Schools).

(6) Rs. 35—2—75 (efficiency bar)—3—90 (vernacular teachers).

The first scale and the last scale of pay are, on the whole, satisfactory. The fourth scale (that for senior classical teachers) should in my opinion be abolished and its officers should be included in the list of English teachers as they had been under the old graded system. There is very strong reason for its abolition. Under the new system, some M.A.'s B.T.'s and B.A.'s have been placed on the scale of Rs. 60—4—160, whereas matriculates and even non-matriculates have been placed on Rs. 75—5—200, the sole reason being that they are in charge of classical subjects.

Of the other three scales, the maximum pay fixed for the second and third scales does not seem to be adequate. There is an utter disregard of all principles of fairness and justice in the new arrangement. The teachers who were drawing Rs. 250 under the old graded system have derived no benefit at all, whereas others in the selection grade have got increments which vary from 25 to 87 per cent. of their pay. Again, among the officers who are placed on Rs. 75—5—200, those who were drawing Rs. 200 or Rs. 250 have got no increment,

while the pay of others has generally been increased at the uniform rate of 33 per cent., *plus* one year's increment. The McAlpin Committee, which adopted the principle of a sliding scale of graduated percentages of increase in the pay, recommended that the value of posts of Rs. 200 and over should be increased by 20 per cent. This principle was adopted also by the Government of the United Provinces. On this basis the maximum pay of the selection grade becomes Rs. 300 and that of the ordinary grade Rs. 240.

Khan Sahib Aman Ali and Mr. Kausik Nath Bhattacharji, two of the members of the committee appointed for the reorganization of the Subordinate Educational Services have, in their note of dissent, recommended Rs. 300 as the maximum pay of the selection grade. By the recent Government Resolution the maximum pay of the lecturers has been raised from Rs 250 to Rs 450, that of a junior classical and vernacular teacher of a High School from Rs 50 to Rs. 110, and that of a Lower Subordinate Officer (vernacular) from Rs 45 to Rs. 90. But strangely enough, the maximum pay of the teachers of the Subordinate Educational Service has been reduced from Rs 250 to Rs. 200 in the case of all except 54 officers in whose case too, there is no increase in the maximum pay. The injustice does not end here. More than 300 English teachers out of a total number of 505 will not, under the new time-scale system, be able to reach even the reduced maximum of Rs. 200 Naturally, this has caused a great heart-burning among the officers concerned and has given rise to new causes of discontent as if those already existing were not sufficient to goad them to despair.

It appears that in the name of improvement the position of English teachers has been made worse and their future prospects have been marred.

I feel it necessary to point out how the recurring grant of Rs. 9 lakhs, granted by the Imperial Government, even during the war time in 1916, was allowed to lapse, year after year, and a large portion of the sum, Rs. 3 lakhs, set apart by the Bengal Government for the improvement of the pay of teachers of Government high schools only, was spent in improving the pay of other officers also. The following table will speak for itself:—

		Number of teachers benefited.	Number of officers, other than teachers, benefited.
Promoted to class	I (Rs. 250) ...	1	8
Ditto	II (Rs. 200) ...	3	23
Ditto	III (Rs. 150) ...	3	49
Ditto	IV (Rs 125) ...	29	47
Ditto	V (Rs. 100) ...	28	95
Ditto	VI (Rs. 75) ...	58	104
Ditto	VII (Rs. 60) ..	90	108
	Total ...	212	434

Now I ask the Council to reconcile actual facts with the "new conditions and improved prospects" of the particular section of the service I am dealing with. While only 212 teachers in the whole Presidency of Bengal have been benefited, 434 officers other than teachers of the department have also been benefited. We do not envy their lot. I think they fully deserved the benefit granted to them.

But I ask the Council to take the facts as they are and recommend that Government should secure the contentment of a very useful section of Bengal teachers by dealing with them equity and justice. The modifications I recommend in the reorganization scheme of the particular section of the Education Department are of such a modest and reasonable character that there should be no difficulty in adopting them. And the Council will no doubt grace its exact position by accepting them for incorporation in the reorganization scheme of the Educational Service below the Bengal Educational Service.

A distinguished Indian Educationist Dr. Chatterjee, late Inspector of Schools, said—

> It is well known that the salaries paid to teachers are inadequate and in some cases lamentably low. A graduate, (B.A.) for example, when appointed to be a Deputy Magistrate, begins to draw at once Rs 350 a month But if the same man offered himself to be a teacher we would not pay him more than Rs 35.—*Fifth Quinquennial Review of Bengal, page 82*

Teachers and their dependants have been long accustomed to starve. But will the reformed Bengal Council permit that sad state of things to continue? I pause for a reply.

Now a few words about the fourth item of my resolution. It is puzzling to think that the benefit of the proposed scale of pay to officers according to the length of their service in the appointments concerned should be withheld from them. There cannot be a graver injustice than this; and I desire to draw the attention of the Council to this issue. It has been expressly admitted, even by the committee appointed for the reorganization of the Educational Services below the Bengal Educational Service, that teachers have long been smarting under a sense of injustice and the committee unanimously recommended that, in view of the fact that many officers belonging to the Subordinate Educational and the lower Subordinate Educational Services and many subordinate ungraded officers have long been underpaid, as a general rule, the benefit of the proposed time-scale of pay should be granted to them according to the length of service in the appointments concerned. Indeed the principle that officers who are brought into the time-scale will be permitted to count all their past services in the corresponding posts from the date of their confirmation, and to draw pay at the point, which they would have reached upon this calculation, has been adopted everywhere, *e.g.*, Indian Civil Service, Indian Educational Service, Provincial Judicial Service, Provincial Executive Service, Provincial Educational Service, Subordinate Civil Service,

etc. Unfortunately, this universally accepted principle has been utterly disregarded. The result has been disastrous in the case of a lot of teachers who have already been in service.

I have touched upon and pointed out only some of the inexplicable features of the question and that because I have full confidence in the sagacity and idea of fitness of things of the members of the Council. I cannot persuade myself to think that they will not do full justice to the cause of the long-neglected teachers of Bengal.

[At this stage the Council adjourned for 15 minutes.]

After the adjournment.

The Hon'ble Mr. P. C. MITTER: I have listened with some degree of surprise to the somewhat lengthy speech of my esteemed friend, Rai Mahendra Chandra Mitra Bahadur. I can well appreciate his sympathy for the members of the Subordinate Educational Service, but I certainly expected, Sir, that my esteemed friend, who was a member of the committee which investigated this question, would deal more with facts and less with sentiment. Sir, if the recommendations involved in this resolution be accepted, then the total cost will be increased by Rs. 4 lakhs more. I would ask the House to consider whether it is prepared to add to the permanent charges Rs. 4 lakhs more at the initial stage. Later on, when the ultimate increase will be arrived at, perhaps that figure will be about Rs. 6 to 7 lakhs. There are one or two other important facts which I desire to place before the House at this stage, *viz.*, the total salary bill of the Subordinate Educational Service before the reorganization was Rs. 16,18,000 and odd. As the result of the reorganization that salary bill has *increased* by Rs. 7,80,000 and odd, or in other words, the reorganization has meant an immediate increase of nearly 50 per cent of that salary bill. Now, Sir, we have provided for time-scale salary, and when the ultimate increase will be reached, the average salary bill will be increased by Rs. 12,45,000 and odd. Remembering that the present salary bill is Rs. 16 lakhs and odd and the ultimate salary bill will be increased by Rs. 12 lakhs and odd, that is to say, an increase of 75 per cent. I am sure that any member of the House, who has not been specially briefed to speak, will agree with me that in these difficult times of financial stringency the increase granted to the Subordinate Educational Service was as much as any service could expect, or desire, or reasonably hope for. I am not speaking of those members who are carried away by sympathies, whose sympathies for their protégés outrun their sympathies for the taxpayers. They may come to a different conclusion, they may urge for a different decision, but I have not the slightest doubt that those members of this House, who remember their responsibilities to the taxpayers, will all agree with me that in these difficult times, when the deficit is Rs. 85 lakhs, the taxpayers' burden should not be increased by even half-a-lakh not to speak of 4 to 6 lakhs.

Now, Sir, there is another remark of a preliminary nature which I desire to make, and that is this. Those who are familiar with the past history of the Subordinate Educational Service are aware, and no one knows this better than my esteemed friend who served on the Wordsworth Committee, that for over 12 years—perhaps to be accurate for nearly 16 years—the question of reorganization has been brought before the Government from time to time; it was urged by various speakers in the Legislative Council; it was admitted by various Directors of Public Instruction. I believe Sir Archdale Earle, when he was Director of Public Instruction, tried for this; I believe my friend, Mr. Hornell tried his level best to improve the prospects of the service; I believe that Mr. Wordsworth also, when he was officiating as Director of Public Instruction, tried, but for more than 14 years this service did not get any justice done to them. Their salary was reorganized more than 20 years ago and for nearly 20 years there has been no increase in their salary. I claim for the Education Department, and I venture to say that I can claim some personal credit in this matter, that in these difficult times of great financial stress, I tried to improve and was successful in giving an ultimate rise of 75 per cent. to the Subordinate Educational Service and an immediate rise of nearly 50 per cent. to that service. These are the general aspects of the question. I do not think I should emulate my friend in going through numerous details, but I shall shortly reply to the several points raised by him. His resolution is divisible into four parts. Sub-clauses (*1*), (*2*) and (*3*) suggest a different scale of pay from that which Government accepted, and I shall take these sub-clauses more or less together. As regards (*1*), we have provided for a scale of Rs. 150—10—250; the Rai Bahadur desires that this should be replaced by a new scale of Rs. 150—15—300 and then 25 per cent. of the officers engaged in teaching work be placed in that scale. Now, in the first place, if my friend's suggestion be accepted, it will mean an increase of about Rs. 3 lakhs to the taxpayers' burden, that is the immediate increase, and the ultimate increase will be more. In the next place the highest salary in the Subordinate Educational Service is Rs. 250 and the lowest salary of the Bengal Educational Service is the same figure. The head masters have been placed in the Bengal Educational Service, so that if the highest salary in the Subordinate Educational Service be fixed at Rs. 300, an anomaly will be introduced, because when an assistant head master is promoted to be head master, his pay will be decreased instead of being increased. In the next place this fixing of 25 per cent. is absolutely arbitrary. We promote people because they deserve promotion. I put it to my friend why limit this to 25 per cent. and why not 50 per cent., 15 per cent. or 10 per cent.? Well, promotions cannot be regulated like that. I am sure, if I accept the Rai Bahadur's suggestions I would be open to more criticism. I do not think I need go into any detail about clauses (*1*), (*2*) and (*3*) beyond this that the salary we

are giving to our teachers compares very, very favourably with the salaries paid in private institutions. The Wordsworth Committee's report signed by my esteemed friend the Rai Bahadur will show (page 4 of that report) that the average salary in private high schools is Rs. 37 per month, the average salary in aided high schools is Rs. 42 per month, and the average salary in Government high schools previous to the reorganization was Rs. 74 per month. As the increase is nearly about 50 per cent. the present average salary is about Rs. 110 per month. Therefore, we pay an average salary of Rs. 110 per month as against Rs. 37 under private employment. These remarks dispose off clauses (*1*), (*2*) and (*3*) of my friend's resolution.

As regards clause (*4*), the contention of my friend is that the benefit of the proposed scale of pay be granted to officers according to the length of their service in the appointments concerned.

Now I admit that this was the recommendation of the Wordsworth Committee and as that was an unanimous report, it naturally received every consideration at the hands of the Government and of the Director of Public Instruction who at that particular moment was Mr. Wordsworth himself, the President of that Committee. The recommendations of that committee however were merely advisory and we were bound to examine the question. When we probed into the matter we found certain difficulties and anamolies. One of those anamolies was this: If we applied the recommendation to all officers drawing Rs. 100 a month we found that one officer would get Rs. 100, one Rs. 110, three Rs. 130, two Rs. 132, forty-five Rs. 135, thirty-seven Rs. 140, twenty Rs. 145, forty Rs. 150, and four Rs. 152. What would this mean? It would mean certainly a great anomaly. It would mean that officers drawing the same salary before reorganization would draw different salaries at widely varying rates after the reorganization. On the other hand what have we done? We have given an automatic rise of 30 per cent. and that rise means that every officer gets immediately a substantial increment. What is the next thing we have done? We have provided a time-scale of pay and the time-scale means that every officer will, if he remains in service, ultimately get his due. On the other hand, at the present moment if we work out the actual position we find that the majority of these officers do not get more than Rs. 90 or 95, although theoretically they can rise up to Rs. 250. I would not tire the patience of this Council by going into further details; but the House may take it from me that the majority of the officers have been greatly benefited. The fact that an additional sum of Rs. 7,80,000 have been divided amongst the different members of the service would prove that the majority of the officers have been benefited. There are nearly 2,500 officers in that service which is divided into 8 groups. If we accepted the recommendations of the Wordsworth Committee on this point it would have been necessary to prepare the service roll of each

of these officers and then to get the same examined not only by the Education Department but also by the Finance Department, and the Accountant-General's Department. That would have meant indefinite postponement; and if it were postponed till to-day, I am sure we could not get the scheme accepted by the Finance Department or by the members of this Council in view of our deficit of Rs. 85 lakhs. Therefore, in the interests of the majority, we did what was best for them. Criticisms in details can always be made; but the House, I am sure, will brush aside those detailed criticisms and look at the broad features of the case. The broad features are an immediate increase of 50 per cent. and an ultimate increase of 75 per cent. I do not think I need pursue the matter any further.

Maulvi SHAH ABDUR RAUF: I am sorry I cannot support the resolution which was moved by Rai Mahendra Chandra Mitra Bahadur. Rai Mahendra Chandra Mitra Bahadur has got sympathy for everybody; but, I am afraid, this time he has lost the sympathy of his supporters. The Hon'ble the Education Minister has told us, just now, what heavy expenditure will be required if this resolution is given effect to. In these days of financial stringency when there has been a cry throughout the country to minimise expenditure of every department I wonder how Rai Mahendra Chandra Mitra Bahadur thought it wise to bring this resolution before this Council. We all know that, not long ago, we passed three taxation Bills for taxing our poor countrymen merely to satisfy the demands of a few Government officials—I mean to satisfy their heavy salary—which has been granted by Government. I find always that heavy salaries are given to the Government officials—

Mr. PRESIDENT: That question does not arise, I think, Maulvi Sahib.

Maulvi SHAH ABDUR RAUF: I bow to your decision, Sir. Increment has been given to Government servants who are serving in the Education Department and the Hon'ble the Minister has told us just now that that increment has been at least 50 per cent. of what they were getting before. Of course, the Education Department has been always neglected by the Government so far as remuneration of the servants of that department is concerned; but I think the increase that has been given is quite sufficient to meet the demand. At the same time, we ought not to forget that we will have to tax further and further if we are to meet demands like this. Secondly, time-scale pay has been introduced which gives sufficient remuneration to the servants of Government. The increment had been given when articles of food were very dear, but now that the war is over, things are coming to a normal state, and further increment is not at all necessary. With these few words I oppose the resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support the resolution with certain reservations. At the very outset, I must give expression to the thankfulness of the Educational Service for what Mr. Hornell did for them and for what the Hon'ble the Educaiton Minister has recently done. Were it not for him the Educational Service would not have got 50 per cent. increase of salary. But giving him his due, I must say I cannot understand what he means by saying that the proposal of Rai Mahendra Chandra Mitra Bahadur would mean an immediate increase in the expenditure of nearly Rs. 4 lakhs a year. What he says is this—Rs. 150 rising in 10 years to Rs. 300 in place of Rs. 250. Surely, no immediate rise is contemplated. That being so the proposition that an immediate increase is required is not tenable, and even then can we afford it as we are told that our finances are in a bad way? But the question is this and we have to thank Rai Mahendra Chandra Mitra Bahadur for this. There has been an increase of Rs. 60 lakhs a year in giving an increase to ministerial officers and peons. What reason is there that the teachers should be worse treated than the ministerial officers? They get nothing extra and further they are poor men, they have to work much harder than these ministerial officers and they have to keep a cleaner appearance before the boys than these ministerial officers. (Hear, hear.) Not only have they to keep up a cleaner appearance but to maintain a cleaner character also. (Hear, hear.) That being so if anybody deserves any concession it is the men of the Educational Service and teachers. I therefore strongly support the resolution of Rai Mahendra Chandra Mitra Bahadur, but I think that clause 4 of his resolution should be omitted.

Rai MAHENDRA CHANDRA MITRA Bahadur: I have brought this resolution for the consideration of the House. I find that the Hon'ble the Minister for Education considers that large sums of money ought to be allotted supposing my resolution is given effect to. He says that best consideration had been given to the claims of the educational officers. When I went through the several parts of the report and when I noticed that there were discrepancies—which discrepancies are a few—I thought it fair, in justice to those who have been deprived of the increment, to bring their cases before this House. The Hon'ble the Minister says that a large sum would be necessary for the purpose and I find that there is an opposition on the part of Rai Jogendra Chunder Ghose Bahadur on the subject. I am surely taking the tax-payers' money; but when I noticed that other educational officers of equal standing and of equal claims got increments I thought it reasonable that the claims of these officers who have been deprived of the increment should be considered. I have listened very carefully, and very anxiously to the speech of the Hon'ble the Minister. In one way he tells me that the increments cannot be allowed and my suggestion at this critical time ought not to be accepted. Of course I entertain hopes that, when the critical times are over, when the Budget estimates

will be framed next year, he will take these matters into consideration. I trust that the time will come when my humble suggestions will be favourably considered by the members of this House and I hope that there will be no opposition then to the views which I have submitted now. On these grounds I have no other alternative than to withdraw this resolution with your leave. I can only say that I have gone through the report of the Wordsworth Committee very carefully and the report shows clearly some discrepancies and that encouraged me to come to the Council and ask for its consideration of my resolution. These educational officers are ill-paid and consequently it is the duty of every member of this Council to help them as much as possible. I beg leave to withdraw the resolution that stands in my name.

The motion was then, by leave of the Council, withdrawn.

Partition of Mymensingh District.

Maulvi MUHAMMAD RAFIQUE UDDIN KHAN: The resolution that I am to move is that "this Council recommends to the Government that the postponed scheme of the partition of the Mymensingh District be carried out when funds are available."

The question of the dismemberment of this huge and overgrown district containing five subdivisions of which the areas vary from 1,822 square miles to 985 square miles and the population from 1,185,330 to 655,295 persons is a threadbare one, having been discussed in the old and new Councils alike.

I think there is no division of opinion as to the unmanageableness of this unwieldy district by one District officer. Mere multiplication of subordinate officers, however, is no remedy for the situation as has been suggested in some quarters. The real remedy lies in partition. It has been again contended that the scheme is not a popular one, that neither the classes nor the masses want it. I beg to emphatically protest against this.

I live in the country and can claim to know first-hand something of the feelings of the people regarding this question and barring the interested persons in the present headquarters town, there is a consensus of opinion on behalf of the partition. In July last when His Excellency the Governor of Bengal visited Mymensingh, influential deputations, consisting of representatives of all classes of people simultaneously from Kishoregunj, Bajitpur and Jamalpore, waited upon His Excellency to urge the partition scheme to which the people have been looking forward with anxious hopes as it is fraught with immense potentialities for the future. I may also add that as I was leaving for Calcutta, I received a resolution of the Moslem Association at Kishoregunj, urging upon the Government the partition proposal of the district, another resolution to the same effect from the Kishoregunj Reform Association has also reached my hands.

Then again, Sir, it has been contended by some members in the House during previous discussions of this question that, owing to the spread of Railways through the district, communications have greatly improved, and, as such, the necessity for the partition is gone. This is not, however, true, for in spite of Netrakona, Kishoregunj and Jamalpore being connected by Railways, the interior of the district is still deficient in communications with the result that people from the mufassal having business to do in the district town are often put to considerable inconvenience and expenses. If the partition is carried out, it will be a great relief to the litigant public, traders, and others. Some members have again argued that it was sheer political necessity and not administrative efficiency that led to the formation of the proposal of partition. This is also a mis-statement of facts. For turning to the history of the scheme itself, we find that it was thought of long before the unfortunate events in Bengal cropped up.

Regarding the efficiency of the administrative works, which is one of the chief grounds of partition, we read in the District Administration Report that the supervision of the courts, the disposal of case-work and the current references and correspondence, the control of existing institutions, etc., engross so much time of the District Collector that he has hardly any leisure to take up other duties that are often of deeper necessity and more essential to the true welfare and advancement of the people—the supervision of Education, personal intercourse with the people, the collection and assimilation of detailed economic, social, political knowledge, and so on. The District Judge has no time to visit his outlying courts and has to rely on the Additional Judge to hear many appeals from them; the Civil Surgeon can rarely inspect his outlying charitable dispensaries and the Superintendent of Police has to delegate an undesirably large portion of his authority to his subordinates. Under such conditions work can hardly be carried on with an eye to efficiency. They have, however, their vital bearing on the interest of the people themselves.

The Village Government of which we hear so much in these days, must necessarily depend on the fostering care and attention and sympathetic help given by superior officers. Unless this stimulus is coming, the enthusiasm of the people will fail and the experiment will be a lamentable failure. These are some of the general arguments.

Now, Sir, I must be pardoned if I urge the partition on some selfish grounds also. The constituency which I have the honour to represent and the part of the district to which I belong, happens to be rather backward and as such they deserve to be a little more sympathetically treated and kindly looked after. There, illiteracy is rampant and public spirit, which comes of education alone, is at a discount. If the partition is carried out, it will open a new chapter of educational progress and material well-being of the people. In these democratic days, it is highly necessary that the people should understand and follow up the

blessings of education, sanitation, and co-operation which will receive a tremendous impetus from the partition. Also to participate in the fair share of competitive examinations which have been recently thrown open to our boys, it is essentially necessary that the partition should be carried out in order to offer increased facilities to these backward parts.

Medical relief, which is the crying need of the times, is enjoyed best in towns and cities alone. The vast distance of the headquarters town makes it impossible for the poor outlying mufassalites to take advantage of the same.

In the interest of the modern conditions of life also, the partition is an indispensable necessity.

After repeated discussions and mature considerations it was declared to locate the headquarters of the new districts at Kishoregunj and Jamalpore, and accordingly plans were made for the construction of the buildings for which lands were acquired and bricks were made, but it could not be given effect to for financial stringency of the Government. Now that the financial condition of the Government appears to have considerably improved due to our passing the taxation Bills, the location of the headquarters of the new districts at Kishoregunj and Jamalpore may now well be taken in hand.

Nor is the conversion of Kishoregunj and Jamalpore into district headquarters a question of considerable cost at any rate for the present. The present towns of Kishoregunj and Jamalpore have got all the institutions necessary for district towns, and the existing buildings and sites may be utilized for the purpose without incurring heavy expenditure for the present and a beginning thus made may, perhaps, obviate the financial difficulties of the Government.

I should therefore appeal to my learned and worthy colleagues of this House to give their well-considered and sympathetic attention to this all-important question of partition of the Mymensingh District. I would also beg to ask the members of this House to seriously consider the huge waste of public money for works already undertaken if they choose to postpone and perhaps abandon the scheme altogether.

I would therefore beg this House to give their whole-hearted support to this important resolution.

Babu INDU BHUSHAN DUTTA: The amendment which stands in my name runs as follows:—

"This Council recommends to the Government that the question of the partition of the district of Mymensingh be referred to a committee on which there should be some non-official members of this Council and which shall also contain an adequate representation of non-officials from all the important parts of the district."

I would ask for your permission, Sir, to withdraw this amendment, as I desire to oppose the substantial resolution.

The amendment was then, by leave of the Council, withdrawn.

The Hon'ble Mr. H. L. STEPHENSON: Perhaps it is just as well if I make clear the position of Government regarding this resolution at the present stage. The details and history of the proposal for the partition of Mymensingh were given in my predecessor's (Sir Henry Wheeler) speech in March, 1921. I do not propose to repeat them now. The reasons for the partition were fully set forth there. Government adhere to those reasons. Since then the grant for proceeding with the partition was refused by this Council. Government bowed to the decision of the Council. In August, 1921, the people of Kishoregunj approached Lord Ronaldshay on the subject. In January, 1922, the people of Bajitpur petitioned Government. In August last year, the people of Bajitpur, Kishoregunj and Jamalpore jointly approached His Excellency and His Excellency in reply very clearly stated the position of Government. So far as the Government was concerned, they were prepared to go forward with the scheme if they were assured that the Legislative Council was also prepared to sanction the necessary funds. Till then, His Excellency could not hold out any hope of Government taking further action in the matter.

The position is that we still believe that the partition of Mymensingh is essentially necessary in the interests of good Government in Eastern Bengal; but we have accepted the decision of the Council that money shall not be provided. We adhere to the opinion that partition is necessary, but we have no intention whatever of embarking on the scheme until we have pursuaded the members of this Council that partition is necessary. It is no use Government going on with the partition till they have the Council at their back, and till the Council show unmistakably that they are prepared to vote the sum necessary for the partition of Mymensingh we shall take no steps. We hope, however, that when the financial aspect is better, we shall be able to pursuade the Council to agree with us that partition is necessary. At present it is not within the sphere of practical politics to go on with the scheme. (Hear, hear.) We have not got the money and as far as we can see we shall not have money in the immediate future. I would like, however, the Council to know that we still consider the partition to be very necessary. So far as this particular resolution is concerned, the opinion of Government is that the scheme should be carried out when funds are available, but until the Council show unmistakably that they are prepared to vote the necessary funds, Government are not prepared to go on with the scheme.

Babu FANINDRALAL DE: The subject-matter of this resolution was discussed at length on the 21st March, 1921, in connection with the demand for the grant for the purpose. We all remember how this House expressed its opinions on the question. Most of the arguments in the Report of the District Administration Committee, Chapter III, on the excessive size of certain districts and subdivisions "recommending their partitions," on which the experiment began in the pre-Reform days, have lost their force to-day, while the condition of finances of the province,

left on its own legs, hardly justifies such huge expenditure. The political expediency for the measure, happily, no longer exists; there is now a non-official chairman in most of the district boards and the post of an Additional Magistrate in each district, to help the District Officer. All these relieving measures, together with the fact that communications are improving everywhere, should enable a District Magistrate, if he so desires to exercise efficient supervision over every part of his jurisdiction. Then, again, we confidently hope that in the near future, the separation of the judicial and executive functions will be effected in the administration of the province. The work of a District Magistrate, under the new system, will be still further reduced and then he will be able to devote his whole-hearted attention to his real duty.

The arguments of size and land revenue also are of no avail, as there are districts nearly equal in area, and yielding higher revenue (24-Parganas and Barisal) in the province and elsewhere.

The financial aspect of the proposal is perhaps the most important and the Hon'ble Sir Henry Wheeler admitted this last year. Indeed, the mover wants the scheme to be taken up only when funds are available, but the necessity of the measure should be clearly demonstrated before it is proposed to saddle the Government with such commitments. The estimated capital expenditure is about Rs. 75 lakhs and the recurring, I think, Rs. 5 lakhs, and then we all know how these estimates fall short of what is actually incurred. A more desirable move, in the interest of economy and efficiency also, would have been to effect amalgamation of smaller districts, such as Bogra and Pabna, Khulna and Jessore, Bankura and Birbhum, and others. Partition of existing districts will only increase the number of district officials, without doing proportionate good to the people and hence I oppose this resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to oppose this resolution. Sir, we have not got the money; that is quite a conclusive answer and my friend wants to bind our successors. We have no right to bind our successors. That is another answer. Thirdly, if he wants to know, we shall show this evening unmistakably that we are not prepared to accede to his request, and grant any sum. I do hope that he will withdraw his resolution.

Rai Sahib PANCHANAN BARMA: I beg to support this resolution. Mymensingh is a very huge district, some six thousand square miles in area. It also contains a big and flourishing population amounting to about half a million; not only that, this population is multiplying every day. These people are fulfilling every day the first command of their Creator—Go and multiply. They are going hither and thither and wherever they go, they carry with them their own peculiar characteristics—thefts and robberies go with them. I have some experience of these people who have settled in the district of Rangpur, in the State of Cooch Behar, and also in the district of Goalpara. They are very

turbulent people. At present no proper control can be exercised over them by a District Magistrate presiding over such a very big district.

As regards the expenditure, the resolution contains a provision "when funds permit." This perhaps does away with the objection raised on financical grounds.

As regards the objection that we should not bind our successors. It has been suggested that the partition cannot be carried out during the life of the present Council. But I say, if that is the case, we should not pass any resolution at all. For many of the resolutions we pass cannot be given effect to within three years We pass Acts the effect of which will extend to, say, hundreds of years, so this is no argument whatever against this resolution.

As regards the means of communication, I have heard some of my friends say that there are many railways and other facilities for communication and that officers, residing at the district headquarters, can easily exercise control over the extreme limits of the district, but I beg to submit that this is not always the case. Even in Rangpur, which is a neighbouring district and is much smaller than Mymensingh, effective control is sometimes wanting. With these remarks, I beg to support this resolution.

Rai MAHENDRA CHANDRA MITRA Bahadur: I strongly oppose this resolution for various reasons I know from the history of the formation of the districts that it was then the settled policy of Government that the number of districts should not be multiplied—For what reason? To avoid expenditure. That was the chief reason why we find that there was a limited number of districts The question of efficiency arose at the time when there was a discussion on this subject, but we notice that with the question of efficiency there is another vital question to be looked to and that is the question of finance. Just now you have listened to the views of the Education Minister in dealing with the increase of pay of a few educational officers and, mark you, what would be the amount which has to be spent on account of the partition of the Mymensingh district? Are we to assess it at Rs. 75 lakhs? Are Government prepared to spend that amount at the present moment? That is a question which demands the consideration of the members of the Council. The answer, I suppose, will be that the Council is not prepared to recommend this large amount at this critical moment and what I learn just now from the Hon'ble Mr. Stephenson is that Government are not prepared now to spend that amount, although Government adhere to the views that the district of Mymensingh ought to be partitioned. If it be said that there is a large number of robberies committed and, therefore, it is necessary that there should be a partition of the district, will not the same argument apply, *mutatis mutandis*, to those small districts which Government have formed. I come from the district of Hooghly. The

old district has been divided into two parts, Howrah and Hooghly proper. Are we to be told that the number of robberies has increased or decreased on that account. Let statistics be taken and then the increase or decrease in the number of robberies be noted. If crime is increasing, that, Sir, is no argument in support of the resolution. The question depends upon various other factors which have to be taken into consideration. One factor is the increase of officials in the divided districts. I am not on the Retrenchment Committee—I have no ambition to be there—but I can say this that the Retrenchment Committee ought to take a note of the views of the Council that there ought to be a smaller amount of expenditure under this head. If this be taken into consideration and if the old districts were to go back to their former condition, I am sure there will be less expenditure. If Howrah and Hooghly—let me plead the case of the Hooghly people at this juncture—be allowed to stand as they were previously——

Mr. PRESIDENT: Perhaps the member will confine his observation to Mymensingh. Hooghly and Howrah are not mentioned in the resolution.

Rai MAHENDRA CHANDRA MITRA Bahadur: Leaving that, I submit that it is necessary for the House to consider whether at the present moment Government are prepared to spend a large amount. If not, the question at issue is decided at once, and the House ought to oppose the resolution on this account.

Mr. PRESIDENT: Do I understand that the member wishes to withdraw his resolution?

Maulvi MUHAMMAD RAFIQUE UDDIN Khan: I beg leave to withdraw my resolution.

Mr. PRESIDENT: The member asks for leave of the House to withdraw his resolution. Does any member object?

Mr. S. R. DAS: I object.

Mr. PRESIDENT: Leave is refused. Do you wish to reply?

Maulvi MUHAMMAD RAFIQUE UDDIN KHAN: I do not wish to reply.

The motion was then put and lost.

Re-excavation of canal connecting the Dhaleswari and Padma.

Babu JOGENDRA NATH ROY: I move that this Council recommends to Government that immediate steps be taken to re-excavate the canal connecting the rivers Dhaleswari and Padma *viâ* Srinagar so as to make it navigable throughout the year and that adequate provision be made to meet the expenses.

In moving this resolution I only bring to the notice of the Council a matter of great urgency, one of life and death to the people of Munshiganj. This matter has been pressed to the notice of Government repeatedly with no result. Schemes have been drawn up but never given effect to. And now that the Reformed Council has a voice in the affairs of the country, the people hope that the removal of this need will no longer be postponed.

The urgency of the matter will be evident from a few words about the subdivision Munshiganj in the district of Dacca. This subdivision is surrounded by three mighty rivers—the Padma, the Dhaleswari, and the Meghna. These rivers are liable to occasional inundations. The whole country is traversed by a network of canals and during the rains, each house has the appearance of an isolated island, the only means of communication being by boats. During the cold weather, the country being low-lying, fair-weather roads known as *halats*, are used and goods and merchandise are carried by labourers and on pack-mules. There is a high road between Munshiganj and Srinagar, a distance of 18 miles, with numerous breaks and broken bridges, which cannot be used during the greater part of the year. During the rains, the road is under water and after that it has a dilapidated appearance.

Babu DEBI PROSAD KHAITAN: Sir, is there a quorum?

Mr. PRESIDENT: Ring the bell.

The Secretary then counted 28 members and reported that there was a quorum.

Babu JOGENDRA NATH ROY: The country had, in the past, a number of canals, with the result that the natural drainages of the country were not impeded and the *bils*, *khals*, and swamps were flushed. The benefit to the crop also was great as the slow passing of water round the roots of the paddy crop supplied the necessary oxygen. Malaria was unknown and the health of the subdivision was such as could be envied. While now, immediately after the rains, malaria creates havoc and claims its victims.

At one time, we had yet another river linking the Padma and the Dhaleswari, which provided a very short cut between Goalundo and Dacca. It was called the Ichhamati. It is now silted up. Then we had three principal canals connecting the two rivers and all passing through flourishing villages and important marts. But owing to gradual silting up, these passages are now navigable only during a few months of the year. You, Sir, can imagine what hardship that means to the people. It means ruin to trade. Merchants and traders must perforce store goods during the rains and so block their capital and consumers have to taken them by coolies or on pack-mules at an abnormal cost.

I am afraid the proposal to remove this want may be dismissed with the expression of a pious wish with the plea "funds not available."

But considering the manifold advantages, sanitary and commercial, that are sure to accrue, I hold that some means may be found to undertake this work.

The canal about which I am now pleading is about 20 miles in length, out of which the major portion is navigable for small boats throughout the year. The portions from Sayadpore on the Dhaleswari side *viâ* Shekarnagar to Sholagar and from Haldia to Lohaganj are navigable throughout the year for small boats and but slight dredging is required here and there. It is from Sholagar to Mauchha, a distance of four or five miles that the canal requires re-excavation. A start was made last year by our Circle Officer with the help of the villagers and it was found that re-excavation is possible. Re-excavation of four or five miles will not cost a heavy sum, nor will it be a heavy strain on the district board or the Government to spend this money for the removal of a long-felt want. The khal moreover will pass through important centres of trade, marts like Lohaganj, Dhankunia, (east and west), Bejgaon, Kanockshar, Haldia, Kajirpara, Kolapara, Srinagar, Deobhog, Sholagar and Shekarnagar, or if the other routes is taken, through Harshara, Mohonganj and Rajanagar.

Of the proposals for re-excavation now before local bodies, the shortest cut between the two rivers may prove a source of danger. Mr. Lawton remarked with regard to that scheme as follows:—

> This mischievous spill into the Jhamsa Bhil should be checked and regulated and, as a matter of river conservancy, this must be done otherwise the risks are that the Dhaleswari will make a short circuit across the Jhamsa Bhil to the Kaliganj with disastrous results.

Regarding railways or embankments in this area, Dr. Bentley expressed the opinion that they cannot be allowed "pending the improvement of water transit by the construction of small or large canals throughout the area." It is therefore incumbent that Government should improve the existing waterways first.

There is a proposal before the District Board of Dacca to re-excavate another canal with a loan or private enterprise. I am sure private enterprise would be forthcoming provided the Government would contribute their share and secure a reasonable profit on the outlay. But the Government must come forward to arrange for the undertaking.

I need hardly remind the Council of the remarks of Dr. Bentley that the increase of malaria is due to the closing up of waterways which should be cleared first of all.

Rai Bahadur S. N. Banerjee recommends this strongly if only "as a pure sanitary measure," and he has pointed out how the re-excavation of this *khal* would not result in erosion. So there is nothing against the re-excavation.

I appeal to this Council on behalf of the suffering people to support my resolution.

Raí JOGENDRA CHUNDER GHOSE Bahadur: I move that this Council recommends to the Government that steps be taken to make the Srinagar khal in the district of Dacca navigable by small boats during the dry weather.

It is not necessary to speak much about this. The Secretary in charge is, I understand, in full sympathy with this project and after his speech, I think that it will not be necessary to press this resolution.

SECRETARY to GOVERNMENT, IRRIGATION DEPARTMENT (Mr. C. T. Huntingford): The stream is, as the hon'ble movers pointed out, a very useful one to the local people for traffic. It is a purely local concern. I have discussed the matter with both the members and we have come to the conclusion that this is not a work which Government can undertake or do anything towards making the *khal* navigable, as there is no money. If the Srinagar *khal* is taken over by the district board or by some private enterprise under the auspices of the district board, then Government may be approached to declare it under the Canals Act so that the district board may levy a toll.

In the circumstances Government must oppose the resolution.

Babu JOGENDRA NATH ROY: I thank the Government for the reply given to my resolution.

In these days when we hear so much of self-help and self-determination, I think it would not be unreasonable for the Government to turn round and ask the people what they are doing in the matter. I have already referred to another proposal now before the District Board of Dacca.

In the present case, Government can grant a loan to the District Board or encourage private enterprise. I am confident private enterprise will be forthcoming provided sufficient encouragement is given. For instance, if—

(1) the Government undertake to help the Syndicate with dredgers at both ends when occasion arises;

(2) in places where the *khal* does not pass through existing villages, land measuring 200 feet is acquired on both sides and the excavated earth thrown on them to convert them into homestead land for which there is a great demand in this part of East Bengal because of the erosion of the two mighty rivers the Padma and the Dhaleswari. This would to a great extent cover the cost of re-excavation;

(3) the district and the union boards are made to contribute their quota; and

(4) the Syndicate is allowed to levy a toll throughout the year—the rate being fixed by the Board.

The proposed *khal* would pass through important centres of trade as enumerated in my speech. And the re-excavation is sure to benefit the people in various ways.

With these words I beg to withdraw my resolution.

The resolution was then, by leave of the Council, withdrawn.

The resolution standing in the name of Rai Jogendra Chunder Ghose Bahadur was then, by leave of the Council, withdrawn.

Arts College for Muhammadans.

Maulvi A. K. FAZL-UL HAQ: I move that this Council recommends to the Government that immediate steps be taken for the establishment of a fully equipped first grade Arts College for Muhammadan student in Calcutta.

In urging this proposal for the establishment of a Muhammadan Arts College in Calcutta, I propose to be very brief. It is not a new matter for the Bengal Legislative Council to discuss. Several times in the old Council I brought forward this proposal in the shape of resolutions, and in the course of discussions in the Budget debates, and some time ago Government accepted the proposal and gave partial effect to it by purchasing a plot of land. I think that it will economise time if the Hon'ble the Minister will be pleased to make a statement as to the reasons why practical effect has not been given to this resolution although partially something has been done in the shape of purchase of land. If his reply is satisfactory—as I hope it will be—I do not propose to press this resolution.

The Hon'ble Mr. P. C. MITTER: My friend, Maulvi A. K. Fazl-ul Haq, is perfectly correct in saying that the proposal for the establishment of a Muhammadan Arts College in Calcutta was accepted by the late Government years ago. Since I took charge of this office, I found that financial position of Government was such that it was not possible to give effect to this proposal. I examined the case and found that under the scheme prepared by the old government the recurring expenditure was about Rs. 1,14,000 or Rs. 1,15,000, and the capital expenditure about Rs. 5,00,000. There was a provision of Rs. 1,00,000 for capital expenditure in the Budget for the year 1921-1922. Members are aware that in that year we had a deficit of Rs. 2,12,00,000 so during the course of that year the grant of Rs. 1,00,000 had to be surrendered; since then it has not been possible to find money, and money has not been provided; that is how the matter stands. If the matter be further discussed I shall reserve my remarks.

Mr. PRESIDENT: Dr. Suhrawardy has given notice of an amendment. Mr. Fazl-ul Haq, do you wish to withdraw your resolution?

Maulvi A. K. FAZL-UL HAQ: In view of what has been stated by the Hon'ble the Minister, I beg leave to withdraw my resolution.

Mr. PRESIDENT: I call upon Dr. Suhrawardy to move his amendment.

Dr. A. SUHRAWARDY: "I move by way of amendment that the original resolution of Maulvi A. K. Fazl-ul Haq do take the following form:—

"This Council recommends to the Government that a committee of representative Muhammadans of the province be appointed to ascertain (*1*) what funds are available for the advancement of higher education, and (*2*) whether, if funds are available, the best interests of the Muhammadan education will be served by the establishment of a first grade Arts College for Muhammadans in Calcutta."

In moving this amendment I should imitate the excellent example set by my friend, the mover of the resolution, and be as brief as possible. In this resolution I recognize an old friend, if not a "hardy annual" of my friend, Maulvi A. K. Fazl-ul Haq. This matter first of all came up before the Council in 1913 and since then, in Maulvi Fazl-ul Haq, the question of a denominational college in Calcutta has found an ardent champion. It has been my misfortune in the past to differ from Maulvi Fazl-ul Haq on this question, but to-day I have no desire to accentuate my difference of opinion with him. As a matter of fact, my amendment is not an expression of dissent but is really born of agreement. I find in the list of business, in the agenda paper another resolution in the name of my friend, for the establishment of a Muhammadan hostel in Calcutta. I was wondering whether my friend was really in earnest or this is one of his jests; because I find that he knows it very well himself that the deficit of the Government is about Rs. 85,00,000. With that deficit it is not practicable for any Government to start a Muhammadan hostel and also to start a Muhammadan Arts College in Calcutta or in any other part of the province. Whatever might have been the needs for an Arts College in 1913, the condition of affairs in 1920 is quite different. Sir, when the air resounds the cry of Hindu-Muhammadan unity it is hardly necessary for me to remind the member that a denominational college is somewhat out of date. When there is a cry and an insistent demand for vocational education throughout the length and breadth of the land, it is hardly in season to make a demand for a Muhammadan Arts College. Anyway, in my previous speeches I have already given my reasons at length as to why I am opposed to a denominational college. As I have said at the outset I am not really in disagreement with my friend who, I believe, desires to advance the cause of Muhammadan education. I am not so much fascinated with the idea of a Muhammadan Arts College in Calcutta or anywhere else. Since my friend first formulated the demand, the University of Dacca had been established and there has been a first grade fully equipped Arts College in Dacca. The majority of Muhammadan students hail from East Bengal and their need has been satisfied by the establishment of an Arts College at Dacca. In my opinion there is a greater need for the establishment of a Muhammadan hostel in Calcutta than that for a Muhammadan Arts College.

Mr. PRESIDENT: The member had better not go into that. We are now discussing the establishment of an Arts College.

Dr. A. SUHRAWARDY: I mention that only to show the necessity for a committee to inquire into the best means for advancing Muhammadan education—whether it can be achieved by the establishment of a hostel or by the establishment of an Arts College or by the creation of stipends and scholarships tenable not only in the Arts College but also in various professional colleges, the Engineering College, the Law College, the Medical College, and not in the Muhammadan Arts College located in Calcutta alone. Now we have got a first grade Arts College in every important town of Bengal and in my opinion it would be better to have scholarships and stipends for Muhammadan students in these colleges.

These are my reasons for moving my amendment.

Mr. SYED NASIM ALI: I support the amendment moved by Dr. Suhrawardy and I support it for this reason that he wants a committee to be appointed which will go into the question of devising means for advancing the cause of Muhammadan education. My friend, Mr. Haq, has suggested a definite means, namely, the establishment of an Arts College. But in view of the fact that the tendency of the people is now for vocational and technical education it is desirable that the matter should be considered over again and what was thought prudent and expedient in 1913 may or may not be considered so in 1921 or 1922.

With this view I support the amendment moved by Dr. A. Suhrawardy.

Dr. HASSAN SUHRAWARDY: Although this resolution has been moved by a Moslem friend I rise to oppose it——

Mr. PRESIDENT: I may point out, that Maulvi Fazl-ul Haq has intimated his desire to ask for leave to withdraw his resolution. So we may regard that as practically dead.

Dr. HASSAN SUHRAWARDY: I am glad to hear that Mr. Haq is not trying to resuscitate a dead horse and a cult, which is long dead, of communal isolation which is against freedom and progress. I have great pleasure in supporting the amendment of Dr. A. Suhrawardy because, as Maulvi Syed Nasim Ali had pointed out, now we are all trying to have more facilities for vocational educational—an education which will give the training for earning bread and not merely the cultural side of education.

Dr. JATINDRA NATH MOITRA: Before I make up my mind whether to support or oppose this amendment I should like to have some points cleared by the mover of the amendment. Does he actually mean

to have a committee to inquire into the question of vocational education particularly for Muhammadan students, or whether he means that only Muhammadan students would be admitted at the particular vocational institution, or whether Hindus or Christians will also be admitted there; whether any religious instruction should be imparted there, and if so, what form of religious instruction should be given? And if it is in favour of higher education by the establishment of an Arts College—whether the Calcutta Madrasah cannot be used for what purpose?

These are the points I want to have cleared before I make up my mind to support Dr. Suhrawardy's amendment.

Babu INDU BHUSHAN DUTTA: Maulvi A. K. Fazl-ul Haq's resolution reminds me of the story of a millionaire asking for alms from a bankrupt. Sir, it is well-known to every member of this House and especially to the Muhammadan members and Muhammadan public of this province that, in the various *waqf* estates of this province, a very large amount of money has been earmarked for Moslem education. Sir, when that large fund is available the first thing that should be done would be to tap it.

Maulvi A. K. FAZL-UL HAQ: Do these discussions really arise in view of the fact that I have asked for leave of the House to withdraw my resolution?

Mr. PRESIDENT: I was watching to see how far Babu Indu Bhushan Dutta would go. If he speaks on Maulvi Fazl-ul Haq's resolution then this question does not arise, but if he is speaking on Dr. Suhrawardy's amendment then I shall be glad if he will develope his point as soon as possible. He must be quick about it.

Babu INDU BHUSHAN DUTTA: I am only asking whether the proposed committee should go into this question and whether they are going to tap these funds for the development of Muhammadan education. If that is so, Sir, I support Dr. Suhrawardy's amendment. If not, then I am afraid we cannot approach Government for help to establish a denominational college.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Sir, Maulvi Fazl-ul Haq's resolution having been withdrawn——

Mr. PRESIDENT: He has not been allowed to withdraw his resolution yet. I am going to get the leave of the House.

Maulvi A. K. FAZL-UL HAQ: Before you do so, will you allow me a minute or two to say something by way of personal explanation? This is not the first time that I have put forward this motion for the

establishment of a Muhammadan Arts College. There are some friends of mine who think that this very idea of a Muhammadan Arts College is likely to imperil what is called the Hindu-Moslem unity. I am here to defend the proposition that a college for Muhammadan students in Calcutta is not likely nor is it possible for it to do anything of that kind. We can have that peace between the two communities even if we have a college of our own in Calcutta. It is not the time nor the occasion to go into that question. I defend my position only on its merits. I am perfectly satisfied by the statement of the Hon'ble the Minister that the establishment of the Arts College at the present moment will not be practicable. But if the matter is to be threshed out on its merits I am prepared to do so.

Mr. PRESIDENT: Dr. Suhrawardy, certain questions have been put to you by Dr. Moitra and if you think it necessary, you may answer those questions very briefly.

Dr. A. SUHRAWARDY: I shall be very brief, Sir. My answer is that it is the committee who will answer those questions.

The Hon'ble Mr. P. C. MITTER: I do not think that I need detain the House long. I have no objection to Maulvi Fazl-ul Haq's withdrawing his resolution. As regards the amendment which proposes a committee to inquire as to what funds are available for the development of Muhammadan education I am sorry to tell the House that no funds are available. That being the position I would ask my friend, Dr. Suhrawardy, to consider whether it is any good to press his amendment at this stage. Perhaps later on, when the finances improve, we may consider this question. If I am allowed to make one or two observations about Muhammadan education, I will briefly state my views in the matter. The members of the House will remember that the Muhammadans form 52 per cent. of the population. If the province is to improve both the Hindus and Muhammadans must look to each others' interest. The nation as a whole cannot prosper if one important portion of it lags behind. There must be more of sympathy between Hindus and Muhammadans. While the ultimate decision must be the decision of the House consisting of both Hindus and Muhammadans, I am certain that my Hindu colleagues will, in a question of this kind, see that the opinions of the Muhammadan members will receive every weight at their hands. I will suggest to my friend, Dr. Suhrawardy, to withdraw his amendment for the simple reason that there are no funds available at present.

The original resolution standing in the name of Maulvi A. K. Fazl-ul Haq was then, by leave of the Council, withdrawn.

The amendment of Dr. A Suhrawardy was then, by leave of the Council, withdrawn.

Withdrawal of resolutions.

The following resolutions, owing to the absence of the movers, were deemed to be withdrawn:—

Mr. SYED ERFAN ALI: "This Council recommends to the Government that a committee be appointed consisting of officials and non-officials including the mover, and with the Commissioner of the Burdwan Division as President, to inquire into the affairs of the Hooghly Imambara and into the management of that estate."

Mr. S. M. BOSE: "This Council recommends to the Government that two or three co-operative societies for jute-growers be started in East Bengal, the Government agreeing to guarantee for a period of three years the losses that such societies may sustain, on such terms and conditions as the Government may prescribe."

Use of books from Government libraries by members of Council.

The following resolution, which stood in the name of Munshi Jafar Ahmed, was, by leave of the Council, moved by Shah Syed Emdadul Haq:—

"This Council recommends to the Government that immediate orders be passed to all Divisional Commissioners and Magistrates of the province to the effect that members of the Bengal Legislative Council be allowed to use books from the Government libraries as they do in the Legislative Council."

Shah Syed Emdadul Haq delivered his speech in Bengali, the translation of which is as follows:—

It is a matter of great regret that the members of the Legislative Council do not get books from the Collectorate Library, whereas they get them from the Bengal Legislative Library. Before I was a member here, I was entitled to the privilege of getting books from the Collectorate. I have now been deprived of the same privilege. I do not see any reason for this. So far as I can make out, I think the privilege has been declined to me because I am a member of the Opposition. I would, however, request that Government might issue circulars to all District Magistrates asking them to comply with the requisitions of the members of the Legislative Council for books and other Government publications available in the Collectorate Library.

The Hon'ble P. C. MITTER: If my friend will accept certain amendments to his motion then I am prepared to accept the resolution on behalf of Government. If the member is willing to accept an amendment confining his resolution to the libraries of the Collectors and agrees that the books are to be lent in accordance with the rules

to be framed by Government I will accept the resolution. Otherwise the matter may be discussed.

Shah Syed Emdadul Haq having accepted the modification, the resolution was put in the following form and agreed to:—

"This Council recommends to the Government that immediate orders be passed to all Magistrates of the province to the effect that members of the Bengal Legislative Council be allowed to use books from the Government libraries in accordance with the rules to be framed in this behalf by the Local Government."

Adjournment.

The Council was then adjourned till 3 P.M. on Tuesday, the 28th November, 1922, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 28th November, 1922, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the Hon'ble the Minister of Education, and 92 nominated and elected members.

Oath.

The following member took an oath of his allegiance to the Crown:—

Mr. L. BIRLEY, C.I.E.

Starred Questions

(to which oral answers were given).

Newspaper reports of public grievances.

***LXVIII. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the number and names of officers employed in reporting to the Government the grievances published in the newspapers in the Presidency of Bengal;

(*ii*) the manner in which they are brought to the notice of the Government; and

(*iii*) the amount of salary drawn by each of them during the last 3 years?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*i*) to (*iii*) It is one of the duties of the Bengali Translator to supply Government with extracts from the newspapers relating to matters of public interest. His name and salary will be found in the Civil List. Government officers themselves also read the newspapers.

Charges of Christian funerals.

***LXIX. Mr. H. A. STARK:** (*a*) Has the attention of the Hon'ble the Member in charge of the Ecclesiastical Department been drawn to the exorbitant charges of funeral furnishers for Christian burials in Calcutta?

(*b*) Are the Government considering the desirability of appointing a committee to examine and report what amendments are called for in the Calcutta Burials Boards Act, 1881 (Bengal Act V of 1881), with a view to control the charges in connection with Christian funerals?

MEMBER in charge of ECCLESIASTICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes.

(*b*) Government have not yet decided what action, if any, they are prepared to take in the matter of controlling such charges.

North Bengal flood.

***LXX. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether he visited the area affected by the flood in North Bengal?

(*b*) If so, after how many days after the commencement of the flood and what was the length of the visit?

(*c*) What places did he visit?

(*d*) Will the Hon'ble the Minister be pleased to state whether any arrangements have been made by his department to help the agriculturists in the flood-stricken area by supplying them with seeds for agricultural operations?

(*e*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing—

(*i*) the loss of cattle; and

(*ii*) the loss in crops and other agricultural produce,

in the area affected by the recent floods?

(*f*) Will the Hon'ble the Minister be pleased to state what steps, if any, the Government are proposing to adopt to recoup the losses referred to in (*e*) above?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): (*a*) The answer is in the negative.

(*b*) and (*c*) The questions do not arise.

(*d*) Yes. The member is referred to the Press *Communiqués* of 23rd October and 9th November, 1922.

(*e*) and (*f*) The member is referred to the Press *Communiqué* of 9th November, 1922.

Pabna flood.

***LXXI. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing for the district of Pabna—

(*i*) the approximate area in square miles, the number of people and the names of the police-stations affected by the recent floods;

(*ii*) the names and number of villages, the extent of the area, the percentage of population, within each of the affected police-stations; and

(*iii*) the loss of life, the loss of winter rice crop, the loss of cattle, and the destruction of houses in the affected area within each of the police-stations?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a copy of the estimated requirements submitted by the Collector of Pabna for flood relief operations in his district?

(*c*) Will the Government be pleased to state the amounts of—

(*i*) gratuitous relief;

(*ii*) charitable relief required for re-building houses that have been destroyed and for the provision of clothing;

(*iii*) medical relief and precautions against epidemic disease;

(*iv*) relief for the able-bodied;

(*v*) restoration of destroyed crops; and

(*vi*) *rabi* seed loans in each of the affected police-stations in the district of Pabna?

(*d*) What amount from the fund opened by the Commissioner of the Rajshahi division has been available for the affected area of the Pabna district and utilised for the—

(*i*) extension of charitable relief already provided; and

(*ii*) provision of extra comforts for the distressed in each of the police-stations of the district, village by village?

(*e*) Is it a fact that an inspection of the area has shown that the police-stations of Atgharia and Chatmohar within the Sadar subdivision and the police-stations of Ullapara and Tarash within the Sirajganj subdivision of the Pabna district have been seriously affected by the recent floods?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) (*i*) to (*iii*) A statement is laid on the table showing the particulars required.

(*b*) and (*c*) (*i*) and (*ii*) The estimates received by Government from the Collector of Pabna were Rs. 2,000 for gratuitous relief, Rs. 10,000 for charitable relief, and Rs. 35,000 for agricultural loans. The first two amounts have been sanctioned and Rs. 29,600 have been sanctioned for loans for the present.

(*iii*) Medical relief is being afforded by the local dispensary doctors as well as by Government and District Board doctors under the supervision of the District Health Officer.

(*iv*) None is required.

(*v*) Agricultural loans are being advanced to the cultivators. Out of the allotment for the purpose mentioned above, a sum of Rs. 17,8[illegible] had been actually distributed up to the 17th instant.

(*vi*) There is no demand for it.

(*d*) It is reported that no assistance from this fund has been asked for. The amount of Rs. 10,000 given by Government for charitable relief will, however, be adjusted against charitable funds.

(*e*) The member is referred to the replies to questions (*a*) (*i*) and (*ii*) above.

Statement referred to in the reply to clauses (a) (i) to (iii) of starred question No. LXXI, showing the damage done by the recent floods in the district of Pabna.

Area affected in square miles—150.*
Number of people affected—50,000.*
Police-stations affected—

Tarash—

Villages† affected—Some villages in Chaukidari Unions IV and V; nearly all villages in Unions I, II, and III.

Area—30 square miles.

Percentage of population affected—50 per cent.

* According to the latest information received.

† The names of the villages are not available.

Chatmohar—

Villages* affected—The majority of villages in Chaukidari Unions I to V, VII to X and XVI.

Area—80 square miles.

Percentage of population affected—35 per cent.

Faridpur—

Villages* affected—Nearly all villages in Chaukidari Unions I, II and VIII.

Area—30 square miles.

Percentage of population affected—30 per cent.

Ullapara—

Villages* affected—A few villages in Chaukidari Unions IX, IV, XII and XXI.

Area—10 square miles.

Percentage of population affected—5 per cent.

Loss of life—None.

Loss of winter rice crops within each police-station—Ten annas in Tarash and Chatmohar and six annas in Faridpur and Ullapara.

Head of cattle lost—A few only.

Number of houses destroyed—700.

* The names of the villages are not available.

Unstarred Questions

(answers to which were laid on the table).

Biss Scheme of Primary Education.

142. Babu JATINDRA NATH BASU: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether Mr. Biss's Scheme of Primary Education has been given effect to in any locality in Bengal;

(*ii*) whether local bodies have been addressed about their co-operation in carrying out the scheme;

(*iii*) if so, how many have been so addressed;

(*iv*) how many local bodies have replied;

(*v*) how many have agreed to co-operate in working the scheme;

(*vi*) what steps have been taken in carrying out the scheme; and

(*vii*) to what extent is it proposed to finance the immediate working of the scheme?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*i*) Yes. Complete schemes are actually working in the unions of Raruli, Bagerhat, and Tala in the Khulna district. In the Rajshahi district in Yusufpur Union, the scheme is actually working. In the Melki Union, in the Hooghly district, a school connected with the scheme is built and working. In south Kharia, in the Jalpaiguri district, the scheme is working. In Darjeeling a central school for 300 boys has been opened. Building and the acquisition of land is going on in many other localities preparatory to giving full effect to the scheme. The present position is set forth in a second report by Mr. Biss which is now in the press and will soon be available.

(*ii*) Yes.

(*iii*) Detailed schemes have been sent to all municipalities in Bengal for consideration and, if they so desire, modification.

All district boards have been given the opportunity of working out experimental schemes.

Complete schemes have been sent to 260 union boards for consideration and, if need be, modification.

Copies in English and Bengali of Mr. Biss's Report have been sent to all municipalities and district boards, and in Bengali to all union boards.

(*iv*) Ninety municipalities; 20 district boards; and 140 union boards;

(*v*) Up to date 17 municipalities; 20 district boards; 9 union boards; and 27 panchayeti unions.

Others still have the matter under consideration.

(*vi*) An offer of assistance on a half-and-half basis has been made to all public bodies for this year only. In the meantime 30 schools have been provided with suitable buildings and maintenance cost. The sanction of Government has been accorded to 21 union board schemes and 3 partial municipal schemes. Fifteen union board and 8 municipal schemes, partial or complete, are now under the consideration of Government. In Calcutta arrangements are being made for the foundation of large central primary schools, two of which are in process of erection through private generosity. See also (*i*) above.

(*vii*) Provision has been made for Rs. 2,77,000 in the Budget and the Supplementary Estimate for July. In view of the disinclination of many local bodies to find their half-share of the expenditure and the present financial difficulties of Government, it is proposed to revise this estimate so as to leave enough money for those local bodies as are likely to accept the half-and-half offer within the year. No definite figure has yet been arrived at.

Rates of stipends in Kanchrapara railway workshop.

143. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether it is a fact that the monthly value of the stipends for Anglo-Indian apprentices in the Kanchrapara railway workshop has been fixed by the Eastern Bengal Railway authorities at Rs. 40, rising to Rs. 90 in the sixth year of training, while Indian apprentices are given no more than Rs. 15, rising to Rs. 25?

(*b*) Is the Hon'ble the Minister aware that this differential treatment has created a feeling of discontent amongst Indian students?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): (*a*) The rates for stipends for different classes and communities are shown in the statement below.

(*b*) No complaint has been received.

Statement referred to in the reply to clause (a) of unstarred question No. 143.

Year.	Clothing.	Pocket money.	Total
	Rs.	Rs.	Rs.
1st year ...	25	5	30
	15	*5*	*20*
2nd year ...	25	10	35
	15	*10*	*25*
3rd year ...	25	15	40
	15	*15*	*30*
4th year ...	30	20	50
	18	*20*	*38*
5th year ...	30	25	55
	18	*25*	*43*
6th year ...	35	30	65
	21	*30*	*51*

Figures in Roman are for European and Anglo-Indian apprentices.
Figures in italics are for Indian apprentices.

Effect of non-co-operation movement on schools.

144. Maulvi FAZLAL KARIM CHOWDHURY: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether he is aware that a majority of the privately-managed high schools in Bengal, specially in East Bengal, have come to the end of their resources and are very likely to collapse with the current session owing to a heavy fall in the number of pupils due to the non-co-operation movement and consequent loss of income?

(*b*) Is it in the contemplation of the Government to render any pecuniary help to these schools to save them from collapse and help them on till better times supervene?

(*c*) Will the Hon'ble the Minister be pleased to state, school by school, what amount of money has been spent till October, 1922, for the up-keep and maintenance of the high schools in Bengal managed by the Government, and what amount of money was spent in 1921?

(*d*) Will the Hon'ble the Minister be pleased to state what was the amount spent till October, 1922, towards grant-in-aid to the Government-aided high schools of the different districts in Bengal and what amount was spent in 1921?

(*e*) Will the Hon'ble the Minister be pleased to state what was the amount spent by the authorities of the Government-aided high schools of the different districts of Bengal till October, 1922, from local sources and what amount from such sources was spent in 1921?

(*f*) Will the Hon'ble the Minister be pleased to state what was the amount spent by the authorities of the privately-managed unaided high schools of the different districts in Bengal till October, 1922, and what sum of money was spent in 1921?

The Hon'ble Mr. P. C. MITTER: (*a*) Government is aware that the financial position of certain privately-managed schools was seriously deranged as a result of the non-co-operation movement, but there is no evidence to show that the general position is as bad as is suggested.

(*b*) It is the intention of Government to help schools crippled by the non-co-operation movement as far as practicable.

(*c*) A statement of expenditure involved in the up-keep of Government high schools in Bengal for 1920-21 and 1921-22 (up to the 31st March, 1922), is laid on the table. It is not practicable to show figures up to the 31st October, 1922, at present.

(*d*) A statement of grants-in-aid made to private high schools during 1921-22 is placed on the table. Later figures are not immediately available.

(*e*) and (*f*) The information is not available.

Statement referred to in the reply to clause (c) of unstarred question No. 144, showing the amount spent for the up-keep of Government high schools in Bengal for 1920-21 and 1921-22 (up to the 31st March).

	Total expenditure for 1921-22.	Total expenditure for 1920-21.
Presidency Division—	Rs.	Rs.
Baraset Government High School	15,570	12,522
Barrackpore Government High School	15,056	12,991
Taki Government High School	16,887	14,201
Krishnagar Collegiate School	24,637	20,181
Nawab Bahadur's Institution	35,306	30,101
Jessore Zilla School	15,272	12,131
Khulna Zilla School	19,183	16,747
Calcutta Madrasah	24,576	23,308
Hare School	31,897	26,015
Hindu School	33,192	28,036
Sanskrit Collegiate School	24,921	22,225
Bethune Collegiate School	30,153	25,236
Burdwan Division—		
Birbhum Zilla School	17,527	14,492
Bankura Zilla School	18,235	14,242
Hooghly Collegiate School	21,202	20,546
Hooghly Branch School	18,473	18,322
Uttarpara Government School	16,675	11,582
Howrah Zilla School	16,905	15,756
Dacca Division—		
Dacca Collegiate School	35,427	33,128
Armanitola Government High School	20,933	20,053
*Dacca Moslem Government High School	19,791	17,434
Eden High School	39,029	36,670
Mymensingh Zilla School	20,146	15,771
Jamalpur High School	19,839	17,584
Bidyamayee Government High School	23,706	19,991
Faridpur Zilla School	19,844	16,785
Barisal Zilla School	22,725	21,292
Jhalakati Government High School	18,545	15,975
Pirojpur Government High School	18,281	15,943
Bhola Government High School	28,558	17,593
Rajshahi Division—		
Rajshahi Collegiate School	28,727	26,749
Dinajpur Zilla School	24,231	19,082

	Total expenditure for 1921-22.	Total expenditure for 1920-21.
	Rs.	Rs.
Jalpaiguri Zilla School ...	15,996	14,107
Rangpur Zilla School ...	18,392	14,865
Bogra Zilla School ...	18,692	15,238
Pabna Zilla School ...	23,435	17,074
Malda Zilla School ...	17,626	15,593
Darjeeling High English School ...	29,086	24,658
Chittagong Division—		
Comilla Zilla School ...	22,875	19,991
Noakhali Zilla School ...	16,559	14,619
Chittagong Collegiate School	19,847	18,677
Chittagong Moslem High School ..	17,166	12,932
Dr. Khastgir's Girls' High English School .	26,022	21,102
Rangamati High English School ...	21,325	16,053

Statement referred to in the reply to clause (d) of unstarred question No. 144, showing the grants-in-aid made by Government to High Schools.

Name of district.	1921-22.
	Rs.
Calcutta ..	72,510
24-Parganas ...	29,736
Nadia ...	30,792
Murshidabad ...	16,656
Jessore ...	12,000
Khulna ..	19,848
Burdwan ...	29,856
Birbhum ...	10,992
Bankura ...	11,796
Midnapore ...	32,520
Hooghly ...	24,576
Howrah ...	15,204
Dacca ...	40,485
Mymensingh ...	30,595
Faridpur ...	20,768
Bakarganj ...	11,541
Chittagong ...	24,626
Noakhali ...	19,386
Tippera ...	24,778
Rajshahi ...	2,603

Name of district.		1921-22.
		Rs.
Dinajpur	...	9,218
Jalpaiguri	...	3,329
Rangpur	...	12,716
Bogra	..	17,634
Pabna	...	14,239
Malda	...	730
Darjeeling	...	8,455
Total	...	5,47,589

Namasudra schools in Copalganj subdivision.

145. Babu BHISHMADEV DAS: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the stipends for the students of the backward classes have been distributed?

(*b*) Will the Hon'ble the Minister be pleased also to state the steps, if any, that are being taken to improve the condition of the Namasudra schools in the Gopalganj subdivision of the district of Faridpur?

The Hon'ble Mr. P. C. MITTER: (*a*) No

(*b*) The matter is under consideration.

Buildings for Copalganj munsifi.

146. Babu BHISHMADEV DAS: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether the estimates of the proposed buildings for the Gopalganj munsifi have been prepared and submitted to Government?

(*b*) Will the Hon'ble the Member be pleased to state the reason for the delay in commencing the work?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) The detailed estimates have not yet been prepared and received by Government.

(*b*) The question does not arise.

Appeal from decisions of union benches and courts in Dacca.

147. Rai PYARI LAL DOSS Bahadur: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) the number of motions in the district of Dacca that have been preferred against the decisions of the union benches and courts before Subdivisional Magistrates, the District Magistrate and the District Judge;

(*ii*) how many of them have been summarily rejected; and

(*iii*) in how many of them records have been called for final decision?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) Twenty-four (Subdivisional Magistrates 13 and District Judges 11).

(*ii*) Five (Subdivisional Magistrates).

(*iii*) Twenty-one (Subdivisional Magistrates 10, and District Judges 11).

Radiological Institute in Calcutta.

148. Maulvi A. K. FAZL-UL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether any steps have been taken to make necessary provision for the establishment of a Radiological Institution in Calcutta as recommended by Dr. Hassan Suhrawardy?

(*b*) Will the Hon'ble the Minister be pleased to state the approximate cost of establishment of such an institution?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): (*a*) The matter is still under the consideration of Government. In March, 1922, it was decided that Dr. Kedar Nath Das and Lieutenant-Colonel McCay, I.M.S., who were proceeding to England should be asked to make further inquiries regarding the lines on which such an institute should be created. Dr. Das's report has since been received but a report from Lieutenant-Colonel McCay is awaited. In view, however, of the present financial stringency it is not possible to proceed at present with this scheme.

(*b*) The following alternative estimates have been prepared:—

(*i*) **Establishment of a separate Radium Institute.**

Initial cost—

(1) Building and fittings—Rs. 1,50,000; (2) Radium—Rs. 1,92,000; (3) Accessories and appliances—Rs. 10,000. Total Rs. 3,52,000.

Recurring cost—

(4) Annual recurring cost: Staff, Director, Physicist, Sister and Nurses, etc.; and (5) Annual up-keeps and renewals—Rs. 50,000.

(*ii*) **Cost of extending X-Ray Annexe of the Medical College so as to form a Radio-Therapeutic Department of the College.**

Initial cost—

(1) Building and fittings—Rs. 30,000; (2) Radium—Rs. 1,04,000; (3) Apparatus for deep therapy—Rs. 25,000. Total Rs. 1,59,000.

Recurring cost—

(4) Staff, etc.—Rs. 12,600; (5) Up-keep—Rs. 5,000. Total Rs. 17,000.

(*iii*) The Surgeon-General has estimated that about £7,000 to £8,000 would roughly be required as capital expenditure for purchasing radium and housing it.

Employment of Muhammadans in Government service.

149. Maulvi A. K. FAZL-UL HAQ: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table copies of the various circulars issued by the Government from time to time since 1905 regarding the employment of Muhammadans in the various branches of the Public Service?

(*b*) Will the Hon'ble the Member be pleased to state the total number of vacancies that occurred in the upper and lower divisions in the Secretariat and various other offices at the Presidency under the Government of Bengal during the period from the 1st January, 1921, to the 31st May, 1922?

(*c*) How many of these vacancies were given to the Muhammadans?

(*d*) How many appointments during the period January, 1921, to May, 1922, were made—

(*i*) on the recommendation or nomination of the three Hon'ble Ministers, respectively; and

(*ii*) by the Hon'ble the Ministers themselves, respectively?

(*e*) Will the Hon'ble the Member be pleased to lay on the table a statement showing—

(*i*) the nature of these appointments in each case; and

(*ii*) the number of them that were given to Muhammadans?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Copies of Government orders on the subject are laid on the Library table—

(1) Eastern Bengal and Assam Government Resolution No. 1769 C., dated 15th February, 1907; (2) Letter No. 3386A., dated the 20th April, 1914, to all Commissioners of Divisions; and (3) Circular letter No. 5159-63A., dated the 30th September, 1918.

(*b*) to (*c*) A statement is laid on the Library table. Information has been furnished for the last official year (*i.e.*, from 1st April, 1921, to 31st March, 1922), for which returns have been received by Government.

Raised platforms at stations on the Eastern Bengal Railway.

150. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to lay on the table a statement showing the names of the stations on the Eastern Bengal and Sara-Sirajganj Railway lines, which are not provided with raised platforms?

(*b*) Are the Government considering the desirability of drawing the attention of the authorities of the Railways concerned to this matter?

Mr. C. C. DEY: (*a*) A statement for the Eastern Bengal Railway is laid on the table.

For Sara-Sirajganj Railway no station, except Sirajganj, are provided with raised platforms.

(*b*) The attention of the Railway authorities will be drawn to the subject-matter of the question.

Statement referred to in the reply to clause (a) of unstarred question No. 150, showing the names of stations which are not provided with raised platforms on the Eastern Bengal Railway.

Canning Branch—

Kalikapur; Piali; Taldi.

Poradah-Siliguri Branch—

Goalbathan; Rameswarpur; Raghurampur; Brikutsa; Tilakpur; Belaichandi; Nilphamari; Mandalghat.

Dum Dum-Khulna Branch—

Jhikargachha Ghat.

Ranaghat-Murshidabad Branch—

Bahadurpur; Paglachandi; Subarnamirgi.

Katihar-Godagari Branch—

Godagari; Rohanpur; Eklakhi; Shamshi; Bhaluka Road; Harish Chandrapur.

Poradah-Goalundo Branch—

Charaikole; Kalukhali; Basantapur; Dadsi; Sabek-Goalundo; Faridpur.

Santahar-Bouerpara-Kaunia Branch—

Adamdighi; Nasaratpur; Talora; Gabtali; Sonatola; Mohimagunj; Bharatkhali; Kamarpara; Bamandanga; Chowdhurani.

Parbatipur-Kaunia Branch—

Bhutsara.

Teesta-Dhubri Branch—

Mogalhat.

Gitaldah-Cooch Behar Branch—

Bhetaguri; Baneswar; Damanpur; Rajabhatkhawa; Buxa Road.

Rajabhatkhawa-Dalsingpara Branch—

Hamiltongunj.

Dacca Section Branch—

Chashara; Fatulla; Dolaiganj; Tejgaon; Kurmitola; Rajendrapur; Sripur; Satkhamair; Moshakhali; Dhala; Senbari; Sutiakhali; Baiganbari; Bidyaganj; Piyarpur; Narundi; Nandina; Kendua-Kalibari; Sarisabari.

Recruitment to certain services from candidates of backward classes of Pabna district.

151. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing for the last ten years—

(*i*) the number of candidates from the depressed classes of the Pabna district for—

(*a*) the Bengal Civil Service (Executive and Judicial),

(*b*) the Subordinate Civil Service,

(*c*) the Provincial and Subordinate Excise and Police Services, respectively; and

(*ii*) the number of these candidates who were appointed in each of these services?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) (*a*) to (*c*) and (*ii*) The information is not readily available, and Government consider that the labour involved in its collection is incommensurate with its value.

Sara-Sirajganj Railway and North Bengal flood.

152. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether he is aware—

(*i*) that since the construction of the Sara-Sirajganj Railway line floods are occurring in North Bengal;

(*ii*) that there are no sufficient culverts or outlets for water in the said railway line?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, are the Government considering the desirability of drawing the attention of the railway authorities to this matter?

(*c*) Will the Hon'ble the Minister be pleased to state the number of culverts and waterways in the said line and their average width?

(*d*) Will the Hon'ble the Minister be pleased to state whether he is aware that the only natural watercourse, in the area from Rohampur (Malda) in the east and Rahalu (Bogra) in the west, Parbatipur in the north and Ishurdi in the south has been stopped by the construction of the Sara-Sirajganj Railway?

(*e*) If so, what steps, if any, are the Government taking in this matter?

Mr. C. C. DEY: (*a*) (*i*) No.

(*ii*) The matter is being investigated by a special officer appointed by the Railway Board and a Committee appointed by the Government of Bengal and no opinion can now be given.

(*b*) The report of the Committee will be awaited before taking any action in the matter.

(*c*) The number of culverts and bridges is 53 with a waterway of 3,678 lineal feet. The width varies from 2 feet to 672 feet.

(*d*) Government have no information to this effect.

(*e*) The question does not arise.

Circle officers.

153. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what is the number of circle officers in the Bengal Presidency? How many are Hindus and how many Muhammadans?

(*b*) What are the districts in which union boards have been established and what is the number of circle officers, Hindus and Muhammadans, in each subdivision?

Mr. S. W. COODE: (*a*) There are altogether 97 circle officers in Bengal of whom 69 are Hindus, 27 Muhammadans and one Christian.

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 153.

Name of districts in which union boards have been established.	Name of subdivisions.	NUMBER OF CIRCLE OFFICERS UNDER THE VILLAGE SELF-GOVERNMENT ACT	
		Hindus.	Muhammadans.
1	2	3	4
Burdwan ...	Sadar	2	1
	Kalna	1	...
	Katwa	1	...
	Asansol	...	...
Birbhum ...	Sadar	3	1
	Rampurhat	2	...
Hooghly ...	Sadar	1	1
	Serampore	2	...
	Arambagh	2	...
Howrah ...	Sadar	1	...
	Uluberia	2	...

Name of districts in which union boards have been established.	Name of subdivisions.	Number of circle officers under the Village Self-Government Act.	
		Hindus.	Muhammadans.
1	2	3	4
Nadia ...	Sadar	1	...
	Ranaghat	1	...
	Chuadanga	1	...
	Kushtia	1	...
	Meherpur	1	...
Khulna ...	Sadar	1	1
	Bagerhat	1	...
	Satkhira	1	...
Murshidabad ...	Sadar	...	1
	Lalbagh	...	1
	Kandi	...	1
	Jangipur	...	1
Bogra ...	Sadar	1	1
Rajshahi ...	Sadar	1	...
Dacca ...	Sadar North	1	1
	Sadar South	1	...
	Narainganj	1	1
	Munshiganj	1	1
	Manikganj	2	...
Faridpur ...	Sadar	1	...
	Madaripur	2	...
	Goalundo	1	...
	Gopalganj	1	...

Name of districts in which union boards have been established.	Name of subdivisions.	Number of Circle Officers under the Village Self-Government Act.	
		Hindus.	Muhammadans.
1	2	3	4
Bakarganj* ...	.....	2	1
Mymensingh ...	Sadar North ...	1	..
	Sadar South ...	1	...
	Jamalpur	1	...
	Tangail	...	1
	Netrokona	1	...
	Kishoreganj	1	...
Tippera ...	Sadar	3	2
	Brahmanbaria ...	1	2
	Chandpur	...	2
Noakhali ...	Feni	...	2
Total ...	.....	49	22

* Union boards have not yet been established in Bakarganj but 13 Circle Officers have been appointed to do preliminary work. The establishment of union boards in Bankura and Murshidabad have been sanctioned, but the boards have not yet been formed.

Biss Scheme of Primary Education.

154. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the present progress of Mr. Biss's Primary Education Scheme;

(*ii*) the number of union boards that have adopted the same;

(*iii*) the number of schools so far opened; and

(*iv*) the amount that has been contributed by Government for each of the schools opened or shortly to be opened?

(*b*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing—

(*i*) the total amount yearly spent for primary, secondary and university education, including technical and legal, in Bengal; and

(*ii*) the percentages under these different heads?

(*c*) Will the Hon'ble the Minister in charge be pleased to state the percentage of expenditure, for primary and higher education in the Bombay Presidency?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) to (*iv*) The member's attention is directed to the reply to an unstarred question No. 142 on the subject put at this meeting by Babu Jatindra Nath Basu.

(*b*) (*i*), (*ii*) and (*c*) The member will find the information in the relevant official publications.

Income and expenditure of district boards.

155. Rai MAHENDRA CHANDRA MITRA Bahadur: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*a*) the income of every district board in Bengal for the last three years;

(*b*) the percentage of expenditure in each of these three years under the heads, respectively, of—

(*i*) establishments and travelling,

(*ii*) construction and repair of roads,

(*iii*) provision for drinking water in rural areas; and

(*iv*) primary and technical education?

Mr. S. W. COODE: (*a*) and (*b*) A statement is laid on the Library table.

Provident fund for teachers in Government schools.

156. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state how the scheme, if any, for a provident fund for teachers has worked in schools under Government control?

(*b*) Has the Hon'ble the Minister's attention been drawn to a scheme for a provident fund for teachers in European schools in India as proposed by the Honorary Secretary of the Association of Head Master of European Schools in India?

The Hon'ble Mr. P. C. MITTER: (*a*) There is no scheme for the institution of a provident fund for teachers in Government schools. They are all in pensionable service.

(*b*) No. Inquiries are being made.

Economy in expenditure.

157. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether the attention of all departmental heads has already been drawn to the necessity of practising the utmost economy in expenditure by avoiding all non-essential charges including travelling by officers, and restricting leave, in order to reduce the current and next years' total charges and for improving the closing balances?

(*b*) If so, will the Hon'ble the Member be pleased to lay a copy of any such circular on the table?

(*c*) If not, will the Hon'ble the Member be pleased to state whether Government contemplate issuing some such instructions in the near future?

(*d*) Will the Hon'ble the Member be pleased to state the total sum already spent during the year (from April to December, 1921), in travelling and hill allowances of high officials, ministerial officers, menials, etc., and extra parcel and postage and stationery for Darjeeling exodus, as well as for travelling and other charges paid for various conferences held in Darjeeling during that period?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*a*) Instructions were issued by the Bengal Government in October, 1921, that rigid economy must be exercised in all departments.

(*b*) The circular was of a confidential nature and cannot be laid on the table.

(*c*) The question does not arise.

(*d*) The total was approximately Rs. 64,000 of which Rs. 50,500 was for the Secretariat, Rs. 10,000 for Heads of Departments, and Rs. 3,500 for conferences. This does not include travelling and other allowances of His Excellency's staff.

Engineering staff of district boards.

158. Rai JOGENDRA CHUNDER GHOSE Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the income of the district boards has been nearly doubled by the transfer of the Public Works Cess to the district fund?

(*b*) Has the work of the Engineering Department of the district boards been increased of late on account of increased engineering work required by the activities of the education, medical and sanitary departments?

(*c*) Is it true that the scale of pay of the engineering staff as fixed in the Government Notification No. 3334 L.S.-G., dated the 20th December, 1901, has not yet been revised in consideration of the increased cost of living?

(*d*) Is the Hon'ble the Minister aware that the Government of Bihar and Orissa have granted a compensatory allowance and also a temporarily revised scale of pay to the engineering staff of the district boards pending the consideration of further revision after the transfer of the Public Works Department works to the district board according to the Government of India Resolution No. 139 E.A. of 11th March, 1922?

(*e*) Will the Hon'ble the Minister be pleased to state—

(*i*) the reasons why the salaries of District Health Officers have been increased; and

(*ii*) the reasons for differentiation between their case and the case of the engineering officers?

Mr. S. W. GOODE: (*a*) The cess receipts of district boards, and not their total income, have been nearly doubled by the surrender of the Public Works Cess.

(*b*) Eighteen out of 25 district boards report that there has been an appreciable increase in the work of their engineering departments owing to the reasons referred to.

(*c*) The reply is in the affirmative. The Ministry of Local Self-Government having found that it had no authority to fix scales of pay for District Engineers, the old rule made by the Government fixing their pay was cancelled and the matter left entirely to the discretion of district boards. The latter have since been asked to consider the matter carefully, and, if they so desire, to suggest scales to Government which will subsequently make proposals to them for their approval. A copy of circular No. 51—55 T. L.S.-G., dated the 6th May, 1922, issued by Government on the subject, is laid on the Library table.

(*d*) Government have no information.

(*e*) (*i*) and (*ii*) Government offered to contribute half the District Health Officer's pay to those districts boards which might adopt the Government model rules and employ Health Officers on pay of Rs. 300—20—500 (Government Circular No. 25—29 T.San., dated the 9th June, 1920). No such inducement is offered in the case of the engineering staff.

Apportionment of Pabna-Bogra Settlement costs.

159. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state when the orders apportioning the cost of the settlement operations in the Pabna-Bogra Settlement district were published in the *Calcutta Gazette* for general information?

(*b*) If the orders have not yet been published, when do the Government propose to publish them?

(*c*) Will the Hon'ble the Member be pleased to state whether any opportunities of discussing, or objecting to, the orders of apportionment have been or will be given to the landlords and tenants?

(*d*) If so, what opportunities have been or will be given?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Apportionment orders have not yet been published in the Gazette

(*b*) Early in 1923

(*c*) and (*d*) There is no provision in the law for the publication of draft orders of apportionment of costs under section 114 of the Bengal Tenancy Act, but any one interested is at liberty to interview the Settlement Officer and to discuss the subject with him. In accordance with the usual practice, orders of apportionment will be published in the Gazette for general information.

Brothels in Calcutta.

160. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement according to the census of 1921 showing, ward by ward, in the Calcutta Municipality—

(*i*) the number of public prostitutes;

(*ii*) the number of girls in brothels between the ages of 5 and 10, and 10 and 15 years, respectively; and

(*iii*) the percentage of public prostitutes to the female population of Calcutta?

(*b*) Are the Government aware that the girls who are under age in the brothels are being brought up to the same profession?

(*c*) What steps, if any, are the Government taking in the matter?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) (*i*) The number according to the census of 1921 is 8,877 for Calcutta city. The census tables do not give the figures ward by ward.

(*ii*) Figures are not available

(*iii*) 3·1 per cent.

(*b*) The existence of this evil is known.

(*c*) Prosecutions under the Indian Penal Code are undertaken when possible and provision has been made in sections 30 and 41 of the Bengal Children's Act, 1922, to deal specially with such cases. Minor girls are sent, when possible, to a Home or Refuge.

Sara-Sirajganj Railway and North Bengal flood.

161. Dr. HASSAN SUHRAWARDY: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state the extent of the Railway line between Sara and Sirajganj and the number of culverts in this length?

(*b*) Are the Government considering the desirability of asking the Railway administration concerned to increase the number of culverts to ensure better drainage of the locality through which the line passes?

(*c*) Is the Hon'ble the Minister aware that it is alleged that one of the chief causes of the flood in North Bengal is due to "banking up" of water by Railway embankments of the Sara-Sirajganj and Santahar-Siliguri lines?

Mr. C. C. DEY: (*a*) The extent of the Sara-Sirajganj Railway from Ishurdi Junction to Sirajganj ghat is 53·12 miles. The number of bridges and culverts on this length is 53 with a waterway of 3,678 lineal feet.

(*b*) The Local Government can only point out to the Government of India the necessity for providing further waterways, but cannot enforce their provision. The Committee to be appointed by the Government of Bengal will report on this question, and the Government can act only after the issue of their report.

(*c*) *Vide* the latter part of the reply to (*b*). The report of the Committee will be awaited.

OFFICIAL BUSINESS.

Government Bill.

The Goondas Bill, 1922.

The Hon'ble Mr. H. L. STEPHENSON: I move that the Goondas Bill, 1922, be referred to a Select Committee consisting of Mr. L. Birley, Sir Reginald Clarke, Babu Debi Prosad Khaitan, Mr. S. R. Das, Mr. D. J. Cohen, Babu Surendra Nath Mallik, Mr. Razaur Rahman Khan, Mr. S. Mahboob Aley, Dr. Hassan Suhrawardy, Mr. R. H. L. Langford

James, Raja Reshee Case Law, Mr. Tarit Bhusan Roy and myself, with instructions to submit our report in time for its consideration at the January meetings of the Council.

I have already explained the nature of the Bill. So I do not propose to take up the time of the Council in making any further remarks at this stage.

Babu INDU BHUSHAN DUTTA: I move, by way of amendment, that the Goondas Bill, 1922, be circulated for eliciting opinion thereon.

When I sent notice of this amendment, I found on a reference to the paper circulated by the Legislative Department that this Bill had only been circulated to a few associations of Calcutta. I thought, Sir, that it would be proper to circulate the Bill to all the Presidency Magistrates and other Magistrates of Calcutta, as well as to the Lawyers Association of the Calcutta Police Courts, the Calcutta High Court Bar Library, the Vakils' Association of Calcutta and the Attorney's Association, because I thought that these parties would be able to give us very valuable opinion on the Bill. I have since learnt that my suggestion, as regards some of the parties, has been accepted by the Hon'ble the Member, and the Bill has been circulated to the Presidency Magistrates. If the Hon'ble the Member will be pleased to circulate the Bill to the other parties mentioned by me, as well, I shall have no hesitation in withdrawing the amendment.

Let me now proceed to speak on the principles of the Bill. It is rather difficult for a mufassal member to speak authoritatively on a matter which primarily concerns the citizens of Calcutta. I have therefore decided to be guided by those Calcutta members, who belong to our group. This much, however, is perfectly certain, that the goonda menace is a real one and this much is also certain that in spite of a special Goonda Department, the Calcutta Police have miserably failed in dealing with the situation. Whether the failure has been due to lack of sufficient powers or to the lack of efficiency of the police is a matter which should be seriously looked into. Extraordinary situations may demand extraordinary measures, but we must be perfectly certain that the agency is quite fit to exercise these large powers, before we can safely invest them with such powers. This Council, as the custodian of the rights and liberties of the people, has a very heavy responsibility in this matter. This responsibility has been increased a hundredfold by the attitude taken up by the Hon'ble Mr. Stephenson, who has clearly said that Government will be quite content to accept the decision of the Council. The primary duty of the Legislature, as I read it, is not to rush into such thoughtless legislation as may degenerate into a transgression of the individual rights and liberties of the people.

The Calcutta Police have been freely using the very wide sections 109 and 110 of the Criminal Procedure Code, and on the admission of the Police Commissioner himself, these powers have been used with

some sort of success. Section 109 may not be so wide, as pointed out by the Hon'ble the Member, but section 110 provides that anyone who "habitually commits mischief or any one who is so desperate and dangerous as to render his being at large without security hazardous to the community may be ordered to execute a bond with sureties for good behaviour." These powers seem wide enough, if properly and efficiently applied. Even the Police Commissioner admits that these powers are somewhat effective. He says, in the Annual Report of the Calcutta Police Administration for 1919—

In September and October, special steps were taken in this area [*i.e.*, Barabazar] to arrest and send up under the bad livelihood sections, a number of the more prominent goondas, pick-pockets, and thieves, and this had for a time a good effect.

May I ask, if it had effect for a time, why did not the good effect continue? Mr. Keays, the acting Chief Presidency Magistrate, said the other day, "in order to cope with the goonda menace only special legislation to enable the magistracy to deport these ruffians and their employers should suffice." Here is a responsible magistrate recommending that the power should be given to the magistracy but it seems strange that there is no power given to the magistracy in this Bill; the whole power is given to the police. Of course, there is mention of a reference to Government, but we all know what these references generally mean. The constable reports to the Sub-Inspector, the Sub-Inspector to the Inspector, he in turn to his superior officer and so on, in this endless chain, till it is sanctified by the sanction of the Government. When this is the way in which things are generally done, is it any wonder that people fight shy of giving extraordinary powers to the police? Sir, it may be known to many members of this Council that only recently in the case of one Jatindra Nath Dhari, Presidency Magistrate, Mr. J. N. Sarkar, said—

The conduct of the constables was disgraceful, and the conduct of the officer in charge was still more so.

Dr. A. SUHRAWARDY: Sir, is the member in order in referring to that case?

Mr. PRESIDENT: (the Hon'ble Mr. H. E. A. Cotton): Yes, he is quite in order, as he is illustrating the dangers of too much power being given to the police.

Babu INDU BHUSHAN DUTTA: Then, again, in the same court, the Magistrate referring to a case, where a constable was the complainant, said—

The complainant is thus guilty not only of telling deliberate falsehoods, but of fabricating evidence.

These are not solitary instances. During the memorable days of the last winter when we heard so much of the *hartals* and of the non-co-operation movement, the activities of the Calcutta Police were such—

(I was not going to say, it was "disgraceful," but I think I should say it)—that it brought forth an indignant protest from this Council. I seriously ask this Council, are you going to invest this police with extraordinary powers, without taking prompt steps to improve their efficiency and without keeping sufficient safeguards? The safeguards proposed in this Bill are useless—nay, they are worse than useless. We must have a couple of senior or High Court Judges to look into each individual case and we cannot depend on the police reports backed up by Government as they usually are. We must also see that this is not made a means of stifling the political opponents of the Government.

Then, Sir, the definition of "Goondas" has been left peculiarly vague. The definition merely says that it includes a hooligan or other rough—this is not at all clear. I am afraid it may lead to a great deal of hardship and oppression upon the people.

Mr. PRESIDENT: Would you please speak only on the general principles of the Bill? You had better not go into the details now.

Babu INDU BHUSHAN DUTTA: I should like to say a word about the distinction created between the Bengali and foreign goondas. The distinction is not very clear, because the questions of domicile and birth will certainly arise and create great difficulties in the practical working of the Act.

Sir, if the Calcutta members feel that a special legislation is necessary to meet with this grave situation, I have no quarrel with them. I shall be glad to support the Bill, but, Sir, I cannot be a party to the suggestion that this special legislation—this extraordinary piece of autocratic legislation—should find a permanent place in the Statute Book of the country. The Criminal Procedure Code is the most comprehensible in the world, and if you want any additions to these I say, that these additions must be temporary. If you must have this legislation, let it be in force for one year only. Let us see how it works. If it works well, if the police can use its powers properly, then the Act can be renewed for another year and so on. If it does not work well, it can be automatically dropped. A permanent legislation of this type will mean a permanent slur on the reputation of the people and of the police. I therefore suggest that the Bill be a temporary one.

Mr. DEPUTY-PRESIDENT: (Babu Surendra Nath Ray): I congratulate the Government on presenting this Bill before the House. It appears, however, that my friends, the members of the Marwari community, have taken exception to some remarks which we find in the Statement of Objects and Reasons of the Bill, but I think the members of the Marwari community protest too much. I fully agree with my friend, Mr. Indu Bhushan Dutta, that the Bill should not be a permanent one; we ought to see how it works for a year or two, and then if we find any flaw in it, we may ask for its amendment.

Then there is the question whether the Bengali element among the goondas should also be deported or not. Let us first try to deport the real goondas who have come and infested Bengal before we try to deport the Bengali goondas; by Bengali goondas I mean goondas, both Hindu and Muhammadan, who have been in Bengal or in Calcutta for generations and who have taken to hooliganism. That there are such hooligans in Calcutta there is no doubt; but first let us get rid of the foreign goondas and then there will be time enough to get rid of the Bengali goondas.

My friend, Mr. Dutta, has said that in this Bill we are leaving everything in the hands of the police. I think, Sir, the members of the Council remember that when nine gentlemen of Bengal were deported from Bengal some years ago—I think about 10 or 11 years ago—there was a hue and cry not only in Bengal but also in the British House of Commons. It was then said that these people had been deported and some of them interned without a trial. The power which the present Bill gives may be used as a safeguard, to some extent, against the hooliganism of some of these goondas. It says "the local Government who, after such further inquiry as they deem necessary, and after giving such person an opportunity of showing cause why an order under this sub-section should not be made, may pass orders upon the person to leave the Presidency of Bengal," but under the Regulation of 1818 there was no such safeguard. The accused persons were never allowed to submit their case before Government. That is my idea of the Regulation so far as I remember. There are no doubt some safeguards in the present Bill, but I think it would satisfy all parties if the whole matter were placed before a judge of the High Court or an experienced judicial officer. Of course, so long as a man like the Hon'ble Sir Abd-ur-Rahim, a trained lawyer is in charge of the Judicial Department, people are safe—or a man like the Hon'ble Mr. Stephenson, who was at one time in charge of about 1,000 internees and who cautiously and gradually released a large number of them. I had to go to him on some occasions on behalf of these people, so I know how he managed these things. I would report that if there be a clause in the Bill giving the accused person a right to present his case before an experienced judicial officer, it will satisfy a very large number of the members of this Council.

With these remarks, I give my support to the Bill.

Raja MANILOLL SINGH ROY: The Goondas Bill will be acclaimed, I hope, by every loyal and law-abiding citizen as a supremely benevolent measure, which, if judiciously administered, will afford immunity from the ceaseless daring depredations of the Calcutta goonda, who has made the life of the inoffensive citizens a veritable hell. I submit, a man hailing from outside Calcutta and its suburbs and not an inhabitant of the city and its suburbs may also be protected as well, and the

harbourers of goondas on any pretext, who participate in their gains, may also be made liable as much as a goonda himself, as they are more dangerous to the community for obvious reasons. Having been connected with the criminal judiciary in the mufassal for over twelve years, I know fully well that though moral conviction of the guilt of the accused presses on the judicial mind, the Magistrate is compelled to acquit the accused sometimes, as legal evidence falls short of the ideal standard of the criminal jurisprudence. The necessity, therefore, of making such legislation when the timidity of the witnesses to speak against desperate characters makes conviction impossible, is opportune.

But, Sir, most respectfully I should suggest that in view of the drastic nature of the legislation it is desirable that a tribunal consisting of judicial officers of the rank of District Judge be formed to pass a final verdict. Such salutary provision is calculated to disarm any adverse criticisms and satisfy public opinion. Only desperate and dangerous characters concerned in some overt criminal acts involving breach of the peace, who answer to the description of persons mentioned in section 110 of the Criminal Procedure Code, irrespective of caste, colour or creed, whether they are city-bred Bengali goondas or up-country ones, must come under the purview of the Act. At any rate, the term "Bengali" in sections 3 (*a*) (*b*) should be well defined and be made free from any ambiguity or vagueness. The final order of expatriation should be passed by a properly constituted tribunal appointed by the Governor in Council which may consist of trained judges and legal practitioners of over ten years' standing, so that there may not be any scope for any comment on the part of the public. Again, the inquiry should be of a *quasi*-judicial character, so that witnesses may not run any risk of being the target of the goondas. But care should be taken to frame proper safeguards so that the Act may not be an engine of oppression to innocent persons. With such salutary safeguards, I think the enactment will admittedly fulfil its purpose.

Rai RADHA CHARAN PAL Bahadur: I have only a few words to say on this subject. In the first place, as Babu Indu Bhushan Dutta, if I followed him aright, has appealed to the members of the present Council representing Calcutta and as I represent the people of Calcutta and come in contact with them almost daily, not only as a citizen but in the course of my public avocations, I may say, without exaggeration, that the Bill is necessary in the interests of the people of Calcutta for the safety of their lives and property. Whether the Bill should take the shape in which it is now placed before the Council or not, is a matter, no doubt, for the consideration of the Select Committee and finally of the Council; but I must express my gratitude to Government for having brought this Bill before the Council. It was some time before the reformed legislature came into existence that I, along with certain other representative citizens of Calcutta, and especially at their particular request, called on, and interviewed, Sir Henry Wheeler and

represented the misery and loss of life and property caused by the class of goondas who especially hail from the remote parts of the United Provinces. Let it not be said that I am for excluding the Bengalis altogether. I know there are desperate characters among Bengalis who require to be put under restraint if not under the same treatment as the people hailing from the United Provinces: that is a matter which will be looked into by the Select Committee and finally by the Council. I think it is necessary to state—and I speak with all my sense of responsibility and with all the emphasis that I can commend—that a legislative measure is necessary for the safety of the lives and property of the people of Calcutta. Whether the police shall have unlimited powers or not is a matter of detail which will have to be looked into by the Select Committee and finally by the Council. I know well—and I do not mince matters when I say that the goondas form, as it were, a fraternity which flourish in the understrata of the Calcutta Police and even of the mufassal police. But that is no reason that we should oppose Government and not give our whole-hearted support in enacting a measure for the safety of our lives and property. I think, that whatever amendments and whatever alterations this Bill may undergo, it is my duty not only as a citizen of Calcutta who has a large stake in the city and who has always, I may say, without any exaggeration, passed sleepless nights on many occasions on account of the depredations of these goondas, to say that I hail and welcome this measure. I hope, therefore, that the reference to the Select Committee will not be barred by the Council. I am sure that the suggestion that there should be a responsible committee presided over by such persons as a Judge of the High Court and consisting of an expert lawyer and responsible citizens of Calcutta will meet with the approval of the Council. Such a committee, I am sure, will inspire confidence, will not place powers entirely in the hands of the police; and with the aid of such a committee, Government will be better guided than by the opinion or recommendations of the Commissioner of Police. Again I say that is a matter of detail. As regards the general principle of the Bill, I acknowledge it is sound and is based on the laudable object of securing the safety of the lives and property of the people of Calcutta and I whole-heartedly give my support to the principle.

Kumar SHIB SHEKHARESWAR RAY: With the objects and reasons of this Bill I entirely agree. But the whole thing centres round this: have we devised a Bill that is consistent with the principles of British justice and can we, with the full knowledge of our existing police efficiency, vest that very police with summary and extraordinary powers? Sir, things may look very bright on paper, very fair and just, as very often our Indian Statutes do, but we must not also forget that we are not vesting these powers in the hands of an ideal police, but in the hands of the police as exists in our land. Firstly, Sir, in the very definition of the term "Goonda" we do neither get a definition nor a

description in the proper sense of those terms, but we are merely told that "Goonda" includes a hooligan or other rough. It necessarily implies that others except hooligans or roughs may also come under the term "Goonda," for example, a political agitator, a strike leader, or even a religious preacher. By this very elastic description we are crediting the police with a large discretion—a discretion absolutely unfettered by any court of law. Of course, it can be said that we are vesting all this discretion and all these powers in the hands of the Commissioner of Police. But who is this real Commissioner of Police, pray? Sir, who are his eyes, ears and hands? Through whose eyes does he see, through whose ears does he hear? Who carries tales to him, who makes him see visions? Surely the *paravaillah* or the low informer. Would the Commissioner of Police himself go about looking into the antecedents or spying into the motives or doings of the suspected goondas? No, Sir, it is absurd. Our Commissioner of Police, despite his official halo, is but a man with no more than two eyes and two ears. He must seal with his sanction the papers put up to him by his subordinates, who in their turn do also repose equal confidence in their subordinates, and so on down to the lowest in the police employ including the spies; and such is the fetish of prestige and good Government of a red-tape administration controlled through files from beyond the seven seas. And so if one of these in this long chain, bears a grudge against a man for failing to satisfy him, there is every likelihood of the Commissioner of Police being moved against him under this contemplated "Goonda Act"

I would have been most willing to have such a Bill for the suppression of goondas, if there were no goondas in the police force itself, if instances of illegal gratification were rarer, if police assaults and excesses were not connived at or lightly punished, if exhibitions of police dances on people's stomachs were unknown.

And then, again, what have we got to check the doings of the Police Commissioner? The local Government? But what is the local Government? Is it a mere abstraction? Or is it going to be represented by the Hon'ble the Member in charge or his Secretary or his Joints or Unders? Who is this local Government, that is to make further inquiries and to whom causes are to be shown? And would that officer take evidence in making further inquiry or would he tread the *mamuli* way of absolute agreement with whatever bears the hallmark of the Commissioner of Police? These are matters which must be cleared up before we can be asked to concede to a further executive encroachment on people's liberties. Before the police can be empowered to banish a man from the province, where perhaps he intends to earn or does actually earn his livelihood, we must be assured that we are not going to enact a star-chamber farce or one of those panicky internment proceedings of recent memory.

Lastly, Sir, I do not distinctly understand this race distinction amongst the goondas. Bengal has also her indigenous goondas. How to deal with them? The Government itself confesses its inability to cope with the goondas with the aid of the ordinary laws: but when once it is having an extraordinary law, why not try to make it comprehensive; why lay the whole blame on poor up-country employees of our Marwari brethren, as the Hon'ble Mr. Stephenson has——

The Hon'ble Mr. H. L. STEPHENSON: May I rise to a point of personal explanation? I have never said that the goondas are employed by Marwari gentlemen.

Kumar SHIB SHEKHARESWAR RAY: Perhaps, Sir, I have been misled. I find, however, in the statement of objects and reasons, stated that "the Marwaris maintain numbers of the class of men from which the goondas come." As, however, the Hon'ble Mr. Stephenson's signature appears at the end of the statement of objects and reasons, I thought that it was his statement.

There are also Bengali, Chinese, European and Anglo-Indian goondas. So, it would not be quite fair to lay the entire blame on the Marwari gentlemen. Sir, so I would propose a thorough recasting of this Bill and make it more comprehensive. Do not make the police all-powerful, both the accuser and the judge and have safeguards against their vagaries. I would like to have our over-worked Commissioner of Police saved from innocently and unknowingly lending his high name and prestige to the commission of grave crimes, namely, robbing people of their liberties and means of sustenance. I would therefore suggest that people accused of being goondas be brought forward before a Board of Inquiry——

Mr. PRESIDENT: You can bring up these points before the Select Committee. You are rather going into details and I hope that you will not further dilate on that point.

Kumar SHIB SHEKHARESWAR RAY: I was following the precedent of some of the previous speakers and I thought that I would be in order.

Mr. PRESIDENT: I am afraid you are still going too much into details.

Kumar SHIB SHEKHARESWAR RAY: I oppose, on principle, vesting entire powers in the Commissioner of Police. What I want to suggest is a Board of Inquiry, consisting of 3 men, including a Deputy Commissioner of Police. In such a Board of Inquiry, there would be a proper police representation, mollified by the influence of the two other gentlemen with judicial experience. I merely throw out some suggestions for all they may be worth; and as has been ruled by you, the Select Committee may improve upon them. I can confidently assert that the Bill, as it has been drafted, is very unsatisfactory, and is a regular

menace to public liberty and security, a formidable weapon in the hands of unscrupulous police officers and as such, it should never be passed, however much we might whole-heartedly agree with the laudable object behind. And, Sir, if you would vest the Commissioner of Police with final authority, do so by all means, but do not have an unseemly farce of a meaningless Governor-in-Council sanction behind.

Rai Dr. HARIDHAN DUTT Bahadur: I rise to give my general approval to this Bill, as I am glad my colleague, Rai Radha Charan Pal Bahadur, has already done. Amongst the speakers who have already spoken, the feeling with which we are actuated will be well understood by one gentlemen only and that is my friend, the Rai Bahadur. Sir, I am not surprised that opposition in some shape or other has come from my friends, Babu Indu Bhushan Dutta and Kumar Shib Shekhareswar Ray. The first is known to be an idealist and will rise up and oppose anything which does not come up to his principles and his jurisprudence, and the other, Sir, I must say, does not represent Calcutta and has scarcely any idea of the prevailing feeling in this city. My friend, the Kumar Sahib, comes here in a gharry or a motor car and goes back to his palace, lives in Calcutta for a few days and goes back to his country-place to enjoy his rest. Such men cannot understand any of the difficulties of this city and they cannot realize the trouble we are suffering from. My friend, the Rai Bahadur, has very aptly pointed out that throughout the length and breadth of the city there is a widespread apprehension as to what is in store for us to-morrow. My friend will also sympathize with me when I refer to an incident which happened in his ward, very near to his house, about two years ago, when a young man of a respectable family, a relative of mine and a friend of the Rai Bahadur, was most brutally murdered in the streets of Calcutta before it was dusk by goondas without any justification or any provocation whatsoever. If such instances have not been rare, the matter would have been different; but from our experience in this city, as one who was born and has lived in the city for the last fifty years, I may say that such occurrences are gradually increasing and instances can be quoted in which the goondas most wantonly assault citizens. If they took away our treasures and our money we might have kept quiet. At the present moment, our lives are in danger and we canot tolerate this. So, if we rise to support this measure, I hope my friends will pardon us. I am glad to find that although my friends have objected to some of the provisions in the Bill, they have given their qualified support in the end. I agree with them that this Bill is practically a confession on the part of the police that they have been unable to protect the lives and properties of the citizens of Calcutta to an extent which we all desire; and I must confess that this proves the uselessness and the failure of the enormous increase of the numerical strength of the Calcutta Police force. Some

time ago, when we discussed the police Budget this question was discussed by many of our friends and we were assured, to a certain extent, that if the police were increased in strength and efficiency, no further addition would be necessary to the police force or no necessity would arise to take recourse to vesting any further powers in the police. I am sorry, Sir, that that anticipation has been falsified and the result is the introduction of this "Goondas Bill." No one, as I have already said, can deny that in Calcutta numerous gangs of streets rowdies and roughs, addicted to all sorts of crimes and violence, are rapidly increasing, and that it has reached such a strength that the enormous increase of the police force and the ordinary procedure of the courts of justice have proved to be futile. It has come to such a pass that, with all my abhorrence against the restrictions upon the liberty of the people, which my friends have touched upon, without trial in an open court, I am prepared to take the responsibility upon myself; and in the name of the constituencies we represent, we would welcome the experiment with this *ultra*-judicial measures to meet this acute stage of lawlessness in this big city. My apprehension, however, is that the Bill does not go far enough. To quote from some well-meant criticism, the distinction between goondas and goondas by reason of their parentage or place of birth is quite artificial and arbitrary; and if persisted in, the measure will remain a dead letter. The goondas are goondas and are equally dangerous to society, be they born in Bengal or out of it. There is no consolation in being brutally assaulted by our own kinsmen. I submit, therefore, that this special measure should be equally applicable to the resident as well as to the non-resident goonda, be he a Bengali or up-countryman, a Christian or a Muhammadan or a Hindu. While the Bill suggests deportation or exclusion for non-resident goondas, it should require sureties and bonds for good behaviour on the part of Bengal-born and resident goondas. I do not know whether the word "up-country" used in the Bill includes Orissa, Madras and Deccan or not; if not, I would substitute for "up-country," "outside Bengal" in the Statement of Objects and Reasons. With your permission, Sir, I would suggest, at the outset, to strengthen the hands of the police—to add that the Commissioner will take——

Mr. PRESIDENT: Not now. It is not necessary to do that now.

Rai Dr. HARIDHAN DUTT Bahadur: Thank you, Sir. I will follow your advice.

The Bill has certain defects and one of those defects is that I find that the Commissioner of Police will have to act on his own initiative. What I would suggest is that the initiative might also come from the residents, in which case the Commissioner of Police should have no other option but to move the machinery provided in the Bill. There is another defect and that is that this Bill might create some amount of panic among the legitimate employment-seekers who come down

to Calcutta to meet our requirements. The spread of exaggerated rumours about the oppression and the arbitrariness of the police in the plea of carrying out the provisions of the contemplated measure may eventually lead to an interference with the free influx of these outside people into Calcutta; and if my friends, like the Kumar Sahib and men of his thinking, will come here and make all sorts of accusations against the police in time and out of time, justly or unjustly, I believe the mischief will be very much increased. (Hear, hear.)

Sir, those, who characterise this piece of emergent measure as a panicky or *ultra*-judicial legislation, are perhaps not fully aware of the kind of trouble the residents of Calcutta have been suffering from for a very long time. With your permission, Sir, I would like to refer, for the recollection of most of the gentlemen who have come from outside, the condition of the Goonda *Raj* which prevailed in Calcutta on various instances; but perhaps that would not be necessary as they are all well-known to those who have lived in Calcutta for the last few years. I cannot, however, refrain from quoting one instance of bitter public feeling immediately after the murder of Babu Sarat Chandra Daw to which I have already referred. There was a public meeting presided over by our respected Minister, the Hon'ble Sir Surendra Nath Banerjea. There we discussed this question of extradition and removal of goondas from Calcutta. Since then public opinion has formed itself in favour of these goondas being got hold of and got rid of by any process whatever that may be devised. I am sorry that I do not find Sir Surendra Nath Banerjea here. He could not give his unqualified assent to our proposal on that occasion, but I am glad that as a Minister of the Government, he has now given his approval to that.

I wanted to place some of my suggestions before the Council to improve the Bill but I refrain from doing so to comply with your advice. But before I sit down, I would refer to one or two important points which are uppermost in my mind. The Commissioner of Police should be authorized to move in the matter at his own notice as well as when moved by respectable people of the locality. We should try to find out how this Bill can be made equally applicable to Bengali goondas. I would once more repeat that if they cannot be deported, they can be efficiently dealt with by securities and bonds being enforced upon them.

In Calcutta, there are four districts. I suggest that Advisory Boards may be formed in each of those four districts and I am absolutely certain that the people have been so much troubled with the goonda question, that many respectable people will come forward to act as members of these Advisory Boards without fearing the assaults by goondas. If such Advisory Boards be constituted, the police would, to a great extent, be helped and the trouble and difficulty of the police will be very much minimised. Sir, with these remarks, I would once more say that I welcome the Bill and give my general support to it.

Babu NITYA DHON MUKHERJEE: This is not the proper time to speak on the merits or otherwise of the Bill, but there is no doubt that an Act like this should be passed to protect people from being robbed or molested. I would only suggest a few points for the consideration of the members of the Select Committee. From the definition it appears that Howrah has not been included within Calcutta in the Bill. It should be extended to Howrah. Howrah may be inferior to Calcutta in all respects, but so far as the prevalence of goondaism is concerned, it is not in the least inferior to Calcutta, and moreover, there is another objection. If this Bill be passed into law and be limited to Calcutta only, then all these gentlemen against whom the Bill is intended to operate will cross the river and go over to the other side, and so Howrah will become a rendezvous of goondas. In this definition there should be another provision, namely, "and such places where Government may from time to time by special notification extend the Act." In all mill areas it may be necessary to extend the Act. That is my first point.

My second point is about the definition of "Goonda." It says that a goonda includes a hooligan or other rough. This will not do. Goonda must mean something, only including will not do. Goondas might mean all classes mentioned in sections 109 and 110 of the Criminal Procedure Code. Therefore my suggestion is that the provision of sections 109 and 110, Criminal Procedure Code, with some modifications and with such additions as may be thought desirable, may be put as the definition of the word "Goonda."

My third point is whether the Commissioner of Police will be both complainant and judge in respect of the same offence. It is against all principles of law that the Judge and the Prosecutor should be the same person. It may be said that the Commissioner of Police is invested with the powers of a Magistrate of the first class, but that is only executive power and not judicial power. The Commissioner of Police has not got that judicial training which other Magistrates have. Therefore, instead of making the Commissioner of Police the deporting authority, a suggestion has been made to appoint a committee consisting of ten persons to consider the evidence received by the Commissioner of Police against any particular person or number of persons and then to pass orders against them under this Act. But I submit that if a person accused of an offence punishable with death can be tried by a Judge and Jury or Assessor consisting of 3 to 5 gentlemen, I do not think that a goonda should be tried by 10 persons. So I suggest that either a Magistrate specially empowered in that behalf or a small committee of three persons should hear such cases and on their report Government should finally act.

These are the few points that I wish to place before the House for the consideration of the members of the Select Committee.

Rai LALIT MOHAN SINGH ROY Bahadur: I must congratulate the Government at the beginning on the presentation of the Goonda Bill though after a long time, as it has become overdue for some time. The riot of 1910 led the people seriously to think to request the Government to take some steps for the suppression of the goondas. The riot of 1918 only confirmed the previous belief and the Government should have come forward then with this proposal. However delayed this Bill might be I do not doubt the utility of this Goondas Bill, especially in these days, when highway robberies and murders have become the matter of every-day occurrence in broad day-light in the streets of Calcutta. But I regret that the Bill as it has been framed will not be able to achieve the object in view. I do not know from what quarters representation was made for the expulsion of the foreign goondas only. If this be the suggestion of the officials, I think the Government has then been fully convinced that the existing machinery of the law has been quite insufficient hitherto, to deal successfully with the goondas and therefore this extraordinary measure has been proposed to be undertaken to clean the city. We cannot have any objection to arm the Government with any kind of weapon, however extraordinary it may be, to enable it to preserve law and order. But when we believe that any proposed Government measure will fail to get the object in view, then, of course, it becomes our bounden duty to come forward with criticisms and suggestions.

That is why I want to expose the defects of the Bill with a view to make it a perfect one so that the result desired can be obtained through it. The Bill proposes to deport the goondas who come from outside Bengal. But the Government forget that the majority of the goondas by their long stay in Bengal have become domiciled and even some of them can claim this city as their place of birth. The Bill makes no extraordinary provision to deal with them. I speak of extraordinary provision because the Government thinks that the time has come to proceed extraordinarily with them, as the existing laws are quite inadequate for their proper trial and punishment due to them. Now, Sir, if the majority of the goondas escape as domiciled or as natives; and only a few fall within the province of the Bill, do the Government think that the object in view will be achieved and Calcutta will be cleaned? The second provision of the Bill is similarly defective. Calcutta Police Commissioners are always overworked. They in most cases have to act on the report of their subordinates. Therefore, in reporting the cases of the goondas, the Police Commissioner will have to act according to the recommendations of his subordinates and therefore, how can we expect their reports to be perfect? The helpless goondas without patrons or leaders, who could not be able to satisfy the police, will only fall into their clutches and others will escape with tact and skill. Here lies the danger. Thus it is seen that the Bill excluding

the Bengali goondas has limited its circle of activity and the working out of the Bill cannot be carried on successfully on account of the second provision of the Bill.

But we want the Bill, because we want that goondaism should be suppressed. That is why I request the Government to change the Bill a little only to make it a perfect one and think of interning all the domiciled goondas who cannot be deported from Bengal. It is a common fact that the local people know the goondas more familiarly than any police officer. The police can easily, with the help of these local people and the Criminal Investigation Department, detect and find them out and send their names to the local Government. To carry out this scheme successfully, it will be necessary to form ward committees in every ward in Calcutta and in the suburban municipalities where the Act should be extended, the members of which may be annually selected by the local Government from the inhabitants of the locality; with deputy or assistant commissioners in the case of Calcutta, and superintendents of police in the case of the suburban municipalities as presidents. The police will arrest the goondas and will produce them before the committees to which the goondas would belong. The ward committees will assist the police in finding out the real character of the goondas and also will inform the names of other bad characters. The report of the majority of the ward committees can fairly be assumed will be above all kinds of suspicion and corruption; and their findings will consequently be more perfect. The final decision will rest on the Judge of the High Court or in the local Government; the Governor-in-Council will verify the recommendations through any Judge or any high judicial officer, and will allow every possible means of defence. If these suggestions be accepted, the difficulties of an open court trial will be avoided and at the same time the elementary right of personal liberty of an individual will be safeguarded.

The proposal for the expulsion of the foreign goondas is a kind of shifting, it is avoiding a danger, this can never be very praiseworthy for any Government. If the police have thought that they cannot act under the present circumstances with the existing laws then let us think that this Bill ought to be a perfect one in every respect to help them in their difficulties.

Dr. HASSAN SUHRAWARDY: I beg to support the general principle on which this Bill has been framed. It has not been rushed through but was considered by the previous Council in the pre-Reform days and it was thought advisable that this should be considered by this Council, and, therefore, it has been brought forward now. The need for an Act to deal expeditiously with the hooligans and the rough elements in Calcutta has been a long-felt want, and every citizen of Calcutta, who is acquainted with the problem of law and order of the city, is bound to support this Bill. The Bill is very good, but I am

afraid it does not go very far. For instance, the important suburb, the trans-Hooghly suburb of Howrah, is most probably, as I read the definition, excluded from the operations of this Act. This Bill, which is mainly intended to provide against the hooligans and bad characters who come from the up-country stations, curiously enough, excludes the very place where the up-country people first set their feet on the soil of Bengal. If Howrah is not included within the suburbs of Calcutta for the purposes of this Act, the rough and hooligan elements will simply shift their headquarters from Calcutta across the river to Howrah and from there manœuvre their nefarious activities. Recently we know how a motor dacoity was manœuvred from Allahabad and how the members thereof used to frequent Howrah. Howrah forms a very important rendezvous and a place of refuge for the hooligans or *badmashes* from Calcutta whenever they want to evade the vigilance of the Calcutta Police. I represent the riparian municipalities on the banks of the Hooghly in the districts of Hooghly and Howrah, and I feel that the same protection is needed for the people I have the privilege of representing on this Council, and I think the operation of this Act should also be extended to Howrah and the mill areas.

The point regarding the operations of the Bill being confined only to those who are not Bengali by birth deserves consideration. My esteemed friend, Babu Indu Bhushan Dutta, pointed out that it would create difficulties regarding the domicile or place of birth of the hooligans I quite agree with him. We know that lots of Peshawaris, Arabs and Persians, Mirzapuris, and up-country hooligans come to Bengal, and generally intermarry here and make Bengal their home. What will happen to the offspring of these men who by birth are Bengalis and goondas by heredity? A man's name may be Shirazi or a Khan, but he may be all the same a Bengali by birth. These are, however, matters of detail which, I am sure, will be considered by the Select Committee. There is a Persian saying: "To kill the snake and leave its offspring behind is not the work of wise people"—they are just as venomous as their parents.

Regarding the remarks made by certain gentlemen that the Bill will give a very large scope to the police to harass people, I am afraid I cannot absolutely agree with those gentlemen. Certain powers for expeditiously and effectively dealing with bad characters are very necessary. A good deal of criticism has been made about the police. Of course, they are not quite perfect like some of us: they are not angels, but all the same they are our countrymen and such defects as they have got we all have as human beings. They have got a very difficult and thankless task to perform and I feel we should do as much as we can to help them. We want protection and criticise them if they fail to give this and yet we say that we do not want the police to have sufficient power. Another gentleman suggested that we should have a Judge with a panel of assessors and another to have a magisterial

inquiry in every case. To start with, this is a very expensive and long drawn procedure. While the Retrenchment Committee in Bengal and the Inchape Committee at Delhi are laying their axes on everything, the suggestion comes that to rid Calcutta of its *badmashes* we should have a judicial inquiry for every single goonda we want to deport, which will cost a lot of money and which may not serve any useful purpose in proportion to the loss of public money and time. Moreover, apart from the waste of time and money it will be very difficult to prove legally, before a judicial officer, that a man is a goonda, but all the same he may be a goonda from every moral point of view. I agree with the suggestion that instead of making the Commissioner of Police the only authority to take the initiative, to associate with him some non-officials of the locality. This will relieve the overburdened Commissioner of Police of an additional lot of work and a good deal of the unpopularity which the measure will entail. I suggest and am sure that by getting rid of the goondas a good deal of expenditure on the police will be curtailed which the Council will like to see. At present, whenever there is trouble or trouble is apprehended Government must provide means for preserving law and order and that is done by recruiting more police. Riots and unlawful assemblies and similar things can be prevented and a good deal of reduction in expenditure can be effected by the operations suggested in the Goondas Bill. I am sure our esteemed colleague, the Surgeon-General, will bear me out when I say that some times the best treatment for a man suffering from a spreading gangrene is amputation, and I think a surgical operation is very badly needed for the goondas of Caclutta and they must be expeditiously and quickly got rid of.

Babu DEBI PROSAD KHAITAN: The Hon'ble Mr. Stephenson in introducing this Bill in this House said that this Bill had been prepared specially on the representations made by certain associations of the Marwari community. I do not dispute that proposition. The attitude of the Marwari community on this question is too well-known to be described by me. Rai Radha Charan Pal Bahadur and Rai Dr. Haridhan Dutt Bahadur have fully described the situation that exists in Calcutta in connection with the goondas. Life and property of the citizens of this town, and specially of that part of the city where I happen to live, namely Barabazar, are certainly in a precarious state, and there is no doubt that we have repeatedly represented to the Government that some suitable steps must be taken in order to eradicate the town of the evil of goondaism. Sir, whether we think that such a drastic Bill should have been necessary or not is a matter on which we need not dilate at the present moment. It is sufficient that the Government thinks that without drastic measures like these it is impossible to cope with the evil of goondaism, and there is no other alternative for us but that we should accord our support to this measure, but of course with

certain modifications. But, Sir, I do not see any reason why in the Statements of Objects and Reasons the Hon'ble the Member in charge of the Bill should have gone out of his way and vilified a whole community by saying that the Marwaris, on the allegation that police protection is insufficient, maintain numbers of the class of men from which the goondas come and thus make it still more difficult for the police to deal with the evil. Sir, what surprises me more is that the Deputy-President of the Council coming from Behala and having little connection with Barabazar should also have gone out of his way and accorded his support not only to this sentence but remarked that the Marwaris have been protesting too much against vilification of this character. On the other hand, I am glad to find that the Indian Association has joined hands with us in protesting against it. I have no doubt, Sir, that the term "Marwaris" here has been used in the sense that newspaper reporters use it. For I have read in the papers saying that a Marwari of the name of Munni Lal Guzrati has been convicted of gambling. I have read in the papers that a Marwari of the name of Sohan Lal Khettri has been convicted of breach of trust. Marwaris do nothing that the members of other communities do not do. It is true that Marwaris have got to engage durwans to collect money and to protect their gates, but which community is there in Calcutta that does not engage durwans for similar service. It is a matter of regret that in a solemn document like this a statement of this kind should have found a place, and I hope that the Hon'ble Mr. Stephenson, with his generous disposition, will not fail to make amends for this statement.

There are certain other matters on which, although the Hon'ble the Member in charge has been good enough to include me in the Select Committee, and I shall have a chance of giving my opinion on the several matters there, it is desirable, as the person voicing the feelings of the people of Barabazar here, that I should at this stage make some reference. I desire to refer to some of the provisions of the Bill on which there is a strong feeling in that part of Calcutta. It has given me no small amount of pleasure to hear in the debate that has ensued on this Bill that some of my friends including the National Chamber of Commerce and the Indian Association have taken exception to the provision in the Bill to exclude those who are Bengalis by birth. In a recent answer which the Hon'ble the Member gave to Mr. Bijoyprosad Singh Roy, it was stated that of the number of goondas who were on the list, there were 133 up-country Hindus, 34 Muhammadans, 26 Punjabis and Peshawaris, 151 Bengali Hindus, 1 Bengali Muhammadan and 1 Bengali Christian. The total comes to 193 up-country and 153 Bengali goondas; the proportion is 4 to 3. From this list itself it appears that as against 4 up-country goondas there are 3 Bengali goondas, and there is no knowing how many of the up-country goondas were born in Bengal. I was born in Bengal myself, and if I were a goonda, I would not have been included in the list of Bengali goondas. If the provisions of this

Bill are to be brought into operation with regard to any person, is it advisable that a prolonged inquiry should be made as regards his place of birth? Is it not improbable that as soon as any person is hauled up either before the Government as provided for in this Bill or before a High Court Judge or any other judicial officer—whatever the machinery that may be set up—the first defence that would be put forward would be that he was a person born in Bengal. How is the police to prove that he was not born in a certain place? If a person says that he was born at Sheoraphuli or some place like that, what evidence can the police offer that he was not born in that place? The easiest thing for a person so hauled up will be to say that he was born in Bengal and so get off. Secondly, it is not desirable that inter-provincial feelings should be allowed to be aroused in a matter like this. There is a feeling here among my Bengali friends that the Bengali goondas should be treated in the same manner as the non-Bengali goondas. The Racial Distinctions Committee in regard to the provisions of the Criminal Procedure Code has only recently been sitting. We know the bitter feeling that exists over the matter. The Hon'ble Mr. Stephenson said that the Foreigners Act exists in this country and foreigners can be deported under certain conditions. But is he prepared to deal with a Bihari or a United Provinces or a Bombay man on the same terms that he would deal with a foreigner who was born outside India? If a thing like this is done, we know that the communal feelings are provincial jealousies that exist in all the provinces will be very bitter, and who knows that Bihar will not pass a law that no Bengali should be appointed to Government service in Bihar, who knows that Bombay may not pass a law that no Bengali should be allowed to carry on business there, who knows that Madras may not pass a law that no Bengali shall be allowed to be interested in the tanning industry in that Presidency? Sir, these are measures which ought to be carefully scrutinized and the results they may lead us to, before allowing an arbitrary provision of this nature to be passed into law. I hope that all my friends in this House, the Government and the police will be very careful in not allowing a law of this nature to be passed without a careful scrutiny of its features. There is only one other thing to which I would draw attention, and that has a very close connection with the provision in the Bill which will not be appplicable to Bengalis by birth. That is, if the Bill is to operate also on Bengalis, we cannot send them out of Bengal. Several remedies have been suggested: the Indian Association have suggested one, *viz.*, that they may be interned. Another friend of mine, I believe Rai Dr. Haridhan Dutt Bahadur, has suggested that a bond may be taken in the same manner as under the Criminal Procedure Code. The only objection of the Government, in dealing with the goondas under the existing provisions of the law, was that sufficient evidence could not be secured; if the circumstantial evidence is represented to be quite sufficient to deport a non-Bengali out of Bengal, there is

no reason why on similar evidence, a Bengali goonda cannot be required to execute a bond or be brought under some other penal clause which may be provided for in this Bill.

The Hon'ble Mr. Stephenson in introducing the Bill has already said that no safeguards have been provided in this Bill. Several have been suggested, one is the appointment of a committee; the other is that the matter be dealt with by High Court Judges; the third is by Magistrates and others of similar status. Further, the Hon'ble Mr. Stephenson said that safeguards might be provided by the Select Committee. It is unnecessary for me at this stage to go into that matter, suffice it to say that there is a strong feeling on this point. When the matter is considered by the Select Commmittee, I hope some safeguards will be provided to make this Bill acceptable to the people and not be a cause of resentment to them, and to make the Bill deal adequately with the sort of people whom it seeks to control.

There is only one other matter and that is this. People fear that even if this Bill is enacted, there may not be such a good administration of it that the worst goondas will be brought under the purview of this Bill. That is also a matter which will have to be seriously considered by the Select Committee. I think myself that as the Commissioner of Police himself cannot really find out as to who is a real goonda or not and as he must rely perforce on his subordinate officers, before a law of this nature is brought into operation against anybody, some provision ought to be introduced in this Bill whereby the Commissioner of Police may be helped—certainly by private individuals—with some information so that the real goonda may also be brought under the administration of the law after it is enacted with such modifications as may be accepted by this House.

With these observations and with the amendments that I have suggested, I feel I can give my support to this Bill.

Maulvi YAKUINUDDIN AHMED: This measure is a necessity. The robberies committed by the goondas in open daylight in the streets of Calcutta has sent a thrill into the hearts of the people of this city and of the mufassal. Many innocent persons have been murdered and robberies committed on them, and this measure has been necessitated by the voice of the people, and now the milk of human kindness gushes out when such a measure is going to be taken. I think that this human kindness ought to be reserved for better people than these pests of society. These pests of society and these dregs of mankind ought to be eliminated from the city to make the place worth living in. I think that this premier city of India ought to be washed of these dirty things. I think that when this measure is taken, we ought to support it. Of course there may be some loopholes in the measure, and there is also some attempt at partition of one province from the other,

but all these things ought to be taken into consideration by the gentlemen who have been selected as members of the Select Committee. It is their business and not ours. Our business is to see whether the measure is a necessity. If this is so, let it be adopted with all sorts of provisions as may be necessary to put down goondaism in the city of Calcutta.

With these words I beg to support the motion.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: The Hon'ble Mr. Stephenson has undoubtedly given us very strong reasons why a Bill of this kind is necessary to deal with goondaism and terrorism practised unchecked in the very heart of the city. According to him and the statistics supplied by the Goonda Police there are 396 goondas on the register of the police. I maintain, Sir, an extraordinary legislation of this kind is not warranted to deal with 396 *badmashes* in a population of nearly 1,000,000. What is the principle involved in this Bill? As far as I can see the present provisions of the Criminal Law are not sufficient to deal with a crime which is not only very difficult to detect but sufficient evidence is not forthcoming to punish offenders, and the police who are charged with the duties of protecting the public against robbery and violence, is unable to cope with the situation unless extraordinary powers are given to them, and what is the extraordinary power they ask for? Deportation of non-Bengali ruffians from this city or province without giving them the chance to defend themselves in an open Court of Justice. From time immemorial we have encouraged goondaism and it has become almost a tradition with our powerful zamindars and money-lenders to employ *lathials* to terrorise *raiyats* in the villages, disposses them from lawful possession of lands and that sort of thing —

Mr. BIJOYPROSAD SINGH ROY: May I rise to a point of order? What have the *lathials* engaged by the mufassal zamindars got to do with the Calcutta goondas?

Mr. PRESIDENT: I am allowing him to continue in order to show the connection.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: These *lathials* are engaged to give a good beating and to terrorise people whether they are tenants or anybody else; and that happens all over the country.

Mr. PRESIDENT: It does not in the least follow that because one man wants to knock another on the head in the mufassal, you need therefore bring that into the question of Calcutta goondas.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: The mercantile plutocrats, their counterparts in Calcutta, likewise retain this class of men to terrorise rivals or take revenge on enemies. You cannot therefore expect much co-operation from that class of the public to whom goondas

and *lathials* are a necessity. There is another important point which must not be lost sight of, *viz.*, that these goondas for whose expulsion we are legislating, are more or less drawn from the working classes who come to Calcutta for a living. God only knows the treatment, the honest workers receive from the police. If he is a cart driver, he must pay his toll to the police beforehand, the poor hawker must likewise give a share, the coolies too must give his poojah to the priests, I mean the *parawallas*. On the top of these you are giving the police extra powers to deport a certain class of men including *panwallas*, *gharrywallas*, durwans and hawkers who, according to police, are *quasi*-goondas. The Hon'ble the Mover has quoted the Foreigners Act as a precedent. I have read the Act and find the analogy is very poor indeed. The Foreigners Act is an old Act of 1864 modified in 1915 as a war measure to deal with enemy subject. The preamble of the Foreigners Act is to enable the Government to prevent the subject of foreign States from residing or sojourning in British India without the consent of the Government. It is more or less a political measure. The Bombay Public Act does provide a parallel. Section 27 empowers the Commissioner of Police, Bombay, to remove by force certain undesirables without resort to deportation as suggested in the Bill. I wish that the Government had adapted a similar measure by slightly amending the Calcutta Police Act.

There are one or two points in the speech of the Hon'ble the Mover delivered the other day, *e.g.*, his reference to the goondas who were about to set fire to the Star Theatre. I have it on reliable authority that the boys who did this were local Bengali *badmashes* who made *golmal* because their privilege to visit the Theatre free of cost was taken away. Fancy this was reported to the Home Member as an incident of goondaism to be dealt with by a Bill of this kind. The names of these local *badmashes* and their addresses are in the possession of the management. I have read the replies of the various bodies consulted on the subject and all of them seem to agree on the principle of the Bill, but insist upon certain safeguards. Those associations want their representatives to be consulted by the Government before deportation. These associations are more or less organizations of either the intellectuals or wealthy men whose touch with common folk of this city is indeed very remote. They have no facility to verify the report of police. In my opinion, Sir, it is an extraordinary legislation to hound out 396 *badmashes* of this city. The extraordinary power will only help rich *badmashes* to get scot-free by paying heavy premium and many an innocent men will naturally suffer. However, if the Council is determined to stamp out goondaism by this, the only remedy suggested by the police, I would suggest important amendments, *e.g.*, "Goondas" must be properly defined. It is not enough to say that goondas include hooligans and other roughs about to commit a non-bailable offence. Take the case of an ordinary criminal, a pickpocket. He picks your pocket, and if you happen to

catch him, he gives you a beating: he is a hooligan. Surely you do not want to deal with him under the Goondas Act. The Indian Penal Code is quite sufficient to deal with him. Take the case of a *zuberdust gharrywalla* who mixes with the goondas. He abuses a passenger for not paying him enough or even gives him a beating. Are you going to deal with him under this Act?

As for safeguards, none of the suggestions made by these associations of capitalists and intellectuals seem effective. I would like to see that goondas are represented by somebody, a pleader or a missionary, before the Government inquiry. I would also suggest that the report of the police and the Government inquiry be sent to a High Court Judge and expulsion sanctioned with his concurrence.

It strikes me that before passing this Act the people of Barabazar and those localities infested by goondas should organize defence volunteers with police powers. Surely patriotic young men would be forthcoming armed, backed by the police and the reserves, to protect themselves against the terrorism of four hundred and odd men on the register of the police. This sort of thing was tried in Chinsura and elsewhere and the police publicly complimented the work of the defence volunteers. There are certain risks attached to this volunteer work, but surely those men who are the hope of patriotism, go to jail, and face bullets, should face terrorism and even suffer for it, to protect people against terrorism. Let the rich people of Barabazar keep armed guards and give them powers as special constables and see what follows. Deportation without trial affects the very foundation of human liberty and unless the disease, I mean, goondaism, is so advanced that the surgeons last operation, *viz.*, on the heart is essential, try other remedies. It is well-known that in the Continent and America there are terrorist societies such as vendettas, Klu Klux Klan and they are all dealt with without resort to deportation. The terrorism practised by the members of these secret societies is ten times worse than what is practised by Calcutta goondas, and yet, specially in the United States, there is no such Act to deport terrorists of this kind—the ordinary criminal laws in the United States of America are quite enough to deal with them.

I therefore urge the Government either to redraft the Bill or amend the Calcutta Police Act on the lines of the Bombay Act. Failing this I appeal to the members of the Select Committee to provide essential safeguards that in the name of stamping out goondaism innocent up-country workers are not deported or clapped into jails.

Mr. BIJOYPROSAD SINGH ROY: Let me begin with the remark that from the personnel of the Select Committee it is apparent that it is the desire of Government that the mufassal members should take no part in this debate over the Calcutta Goondas Bill; because, it being a purely local measure, in their opinion the mufassal constituencies are

not at all interested in it. But it is a notorious fact that it is the people from the mufassal, while they are on visits to Calcutta and are out sight-seeing or making purchases, who fall more easy victims to these goondas than the inhabitants of this city who are quite familiar with the ways of these ruffians. So, in my humble opinion, we are as much interested in this Bill as the members representing the Calcutta constituencies.

As regards the Bill itself, I am fully aware that it is one of the primary duties of the States to maintain law and order, and public tranquillity in this city cannot be preserved unless and until the Government are armed with the powers which they now propose to take. So I hope that every right-thinking man in this country will support and cooperate with Government in their attempt to put down hooliganism in this city. I think that the public have every reason to be grateful to Government for introducing this Bill in the Legislative Council though this measure is now long overdue. But I am sorry to say that though I fully welcome the general principle which underlies this Bill, I cannot give my unstinted support to it. Firstly, because I consider that in spite of the explanation given by the Hon'ble the Member while introducing this Bill the other day, there should be no distinction between the Bengali and non-Bengali goondas. As has been pointed out by Mr. Khaitan from the reply given to my question by the Hon'ble the Member himself, there are many Bengali goondas who are equally dangerous as their up-country brethren. I do not think that the country will like to shelter them simply because they are Bengalis or happen to be domiciled in this province. I quite appreciate the Hon'ble the Member's arguments that the Bengal Government cannot with any propriety ask other provinces to take back their own men and to keep them under proper control, but Government cannot shift their own responsibility on other Governments by directing the Bengali goondas to leave this Presidency; but if no provision is made for them in this Bill, and if the Bengali goondas are completely excluded from it, how can we get over the fact that we shall be leaving a very large number of criminals to carry on their trade uncontrolled in this city?

I am not prepared to believe that the removal of their up-country leaders will dishearten the Bengali goondas in any way. New leaders will at once take the field, the only difference being that they will be Bengalis instead of the Punjabis or Peshwaris.

My second point is that there should be a committee of inquiry, that is, a committee of inquiry consisting of respectable citizens and presided over by a District and Sessions Judge of at least ten years' standing. When it was possible for my countrymen to sit in the Special Tribunals which tried the anarchists just a few years ago, and for the police to induce people to give evidence against these dangerous criminals in open courts trials. I fail to understand why it will not be possible for my countrymen to sit on an inquiry committee

like this or for the police to procure evidence against these goondas even before a committee of inquiry. I think Government will be well advised not to be guided in this matter by the report of the Commissioner of Police, who is sure to be misled by his subordinates who will actually hold the inquiry. It is a very unpleasant truth that the evidence produced by the police can be easily manipulated by the parties concerned according to their interests when they are men of means and influence. So, I think it is equitable that before a man is asked to leave this Presidency, he should be given an opportunity of proving his innocence at least before an impartial committee of inquiry, if not before a Court of Law, that his fate should not be decided by the police officers. On the plea of removing goondas from Calcutta, we can on no account agree to invest the police with considerable judicial powers and to make it an engine of oppression and injustice.

My last suggestion is that there should be a maximum and minimum time-limit within which a man may be directed to leave this Presidency and this should be distinctly mentioned in the Act. With these few words, I beg to welcome the general principles which underlie this Bill. I hope that the Select Committee will carefully consider the suggestions repeatedly made by my friends here.

Maulvi HAMID-UD-DIN KHAN: I beg to support the general principles of the Bill that has been introduced in this Council. It is known to everybody here that in Calcutta the goondas have been perpetrating the worst of crimes, murders, robberies, and dacoities.

Mr. PRESIDENT: Will the Member kindly raise his voice? It is very difficult to hear what he is saying.

Maulvi HAMID-UD-DIN KHAN: To preserve the peace, security, and tranquillity and to set the minds of the inhabitants of Calcutta at rest, this Bill should be introduced and passed at as early a date as possible. Of course this Bill should be passed with certain alterations and modifications. One which I am going to suggest is that the words " is not a Bengali by birth " should be eradicated because we feel that a goonda is a goonda, and that there should be no distinction between a goonda who is a Bengali and a goonda who is not a Bengali. The object of this Bill is to deport the non-Bengali goondas to their provinces or presidencies. The question may be raised as to what shall be done with regard to the Bengali goondas? To this my suggestion is that the Bengali goondas should be sent back to their own native districts, or in cases where they are inhabitants of this city, they should be called upon to give security for good behaviour.

My second suggestion is that as to the inquiry that has been suggested by my previous speakers, the inquiry should be by the local Government with recommendations from the Commissioner of Police and in conjunction with the representatives of the leading people of the locality.

With these modifications and alterations, I recommend that the Bill be referred to a Select Committee.

Mr. D. J. COHEN: As a resident of Calcutta I beg to thank the Government for bringing forward this measure. Babu Indu Bhushan Dutta has advised us not to rush matters. For my own part, I consider this to be a belated measure. That it has become absolutely necessary to have some additional powers which will effectively restrict, if not entirely do away with the activities of the goondas, is acknowledged on all hands. Babu Indu Bhushan Dutta has referred to the preventive sections 109 and 110 of the Criminal Procedure Code. In my own experience I have realized too clearly the inadequacy of the existing powers. My only regret is that the Bill makes no attempt to effectively control the activities of the Bengali goondas. From the reply given in answer to a question put by a member of this House, the number of the latter is none too small, especially if you take into considerations the large following which many of these goondas have.

Kumar Shib Shekhareswar Ray objected primarily because he considered that the Bill did not provide sufficient safeguards; I think that also is the objection of my friend Mr. Krishna Chandra Ray Chaudhuri, the Labour Member; that may be so, but in order to bring a man within the operation of this Act it will be necessary for the police to show first that the man complained against is an old offender who habitually uses violence in committing criminal offences. This will be some safeguard in itself. It must be remembered along with this, that this Bill is admittedly a special piece of legislation and the question of such safeguards cannot be lost sight of. I daresay that nobody will object to include such safeguards as will be found necessary so long as they will not be able to defeat the object of the Bill.

Mr. HUSEYN SHAHEED SUHRAWARDY: I beg most strongly to support the amendment of Babu Indu Bhushan Dutta. I would humbly request the Council to pay some measure of attention to what I wish to say because, to some extent, I have come into contact with the police administration in Calcutta, and with the police particularly in connection with the goondas. I do not wish to suggest for a moment that goondaism is not rampart, or is not so widespread that special efforts, quite apart from the question of special powers, are necessary to check the evil, but I feel that the Bill will introduce an evil greater than the evil we are endeavouring to remove. I really cannot appreciate the argument of Babu Debi Prosad Khaitan, who while speaking throughout as if there was no necessity whatsoever for this special piece of legislation, said that because the Government think that it is necessary, we have got to accept it. Throughout I have considered that because the Government think that a particular piece of legislation is necessary we should examine it with the most meticulous care.

Anticipating a storm of opposition as regards the plenary powers of the Government, the Hon'ble the Member has suggested that the Select Committee may provide safeguards. I do not wish to say anything regarding Select Committees and their constitution. No doubt, they will, in all honesty and fairness, attempt to provide safeguards, but it is the main principle of the Bill that I am unhappily not in agreement with. The main plank of the Bill is the enormous powers given to the Commissioner of Police of Calcutta and the Government. Try as much as we can, not all non-official bodies associated with the Government will be able to deal with the Commissioner of Police and the reports supplied by his subordinate officials; not all the protests will be able to temper the adamantine opinion of the Government if they intend to deport anybody they desire. No safeguards will do. The powers sought to be given to the Commissioner of Police must be whittled down, for let me tell it plainly, though hesitatingly, for I feel it my duty to do so, that we have no confidence whatsoever in the character of the police in Calcutta and for this reason. I know from personal experience and from inquiries made extensively, that were it not for the apathy of the police in some instances and for their corrupt practice in most others, goondaism would not prevail in Calcutta in the measure in which we find it here. I speak again from personal experience that in many cases goondas are fostered by the police and even during the last stormy days they were utilized by the police themselves to terrorise the people and protect the non-co-operation movement, quite apart from the acts of goondaism and loot and desecration practised by the police themselves in Mechua Bazar on which no action has been taken—

The Hon'ble Mr. H. L. STEPHENSON: Is this attack on the police relevant, Sir?

Mr. PRESIDENT: The member is going a little too far.

Mr. HUSEYN SHAHEED SUHRAWARDY: But unfortunately the condition of the police of Calcutta——

Mr. PRESIDENT: We are not discussing the condition of the police. It is quite sufficient for the member to say so shortly if he objects to any particular powers that he thinks ought not to be given to the police. It is not necessary to indulge in a regular diatribe against the police.

Mr. HUSEYN SHAHEED SUHRAWARDY: I may say that in those quarters which are frequented by goondas, cocaine smuggling and gambling take place and these are not only condoned by the police but are even promoted in a measure and police officers give due and friendly warning to these culprits themselves.

Mr. PRESIDENT: The member is still attacking the police. I wish he would develop his argument in a different way.

Mr. HUSEYN SHAHEED SUHRAWARDY: Sir, I am dealing with the question that powers are not to be given to the police, both Indians and Europeans, considering as they are at present constituted, and it is not possible to dilate upon this point without attacking the police.

Mr. PRESIDENT: I would point out to the member that he must do it in a different way. The way he is proceeding is not in order. Whatever the member has to say upon the matter can be said in one sentence.

Mr. HUSEYN SHAHEED SUHRAWARDY: This will be a substantial source of revenue in the thanas and I am sure that the reputation of the Calcutta Police must be known to all—Sir, I am not attacking the police any further—to Indians and Europeans alike. Sir, Rai Dr. Haridhan Dutt Bahadur has demanded that those goondas who reside in Bengal may be bound down. But what does this demand lead to? Goondas who can pay Rs. 10,000 may go free. Those who are not criminals enough to advance Rs. 5,000 or Rs. 2,000 according to the dictates of the powers that be will be deported. Or again for satisfying private grudge or on account of family quarrels people may find the penalty of the deportation helpful in declaring their foe a goonda. Thus under these powers it will be possible to remove many who are not goondas and keep many goondas of the more dangerous and richer class. I can well understand the desire and the anxiety of the police that this Bill should be passed because it is clearly to their advantage and will help to give them such powers as to carry them above the law. I know that so long as Mr. Wilson or Mr. Bird, who are very honest, sincere, hardworking, able, and efficient gentlemen to the corps, are there, much mischief cannot be done. But they are anomalies in the police service and the rapid deterioration of the police in Calcutta is quickly removing such people from the service. I would therefore humbly request the House to hesitate considerably before according their support to the Bill and sanctioning restrictions on the liberties of the people. We cannot, we must not, place such unlimited powers in the hands of the police for, firstly, they will misuse those powers; secondly, the powers at their disposal cannot eradicate the evil if so desired—*i.e.*, if it is desired not merely by some of the senior officers but also by the others as well. If special precautions had been taken the evil would have subsided; if the goonda police had worked satisfactorily there would be no need for this extraordinary piece of legislation. This special power must not be given to compensate for the protection which the police would offer against the goondas. The cases cited by the Hon'ble the Member in charge are not goonda cases at all. One was a case of pure revenge by an accused who had been acquitted against a person who had given false evidence against

him; in the other case some Bengalis were equally concerned. As regards the burning of the Star Theatre, I saw the boys themselves ranged outside the room of the Deputy Commissioner of the Criminal Investigation Department and most of them were Bengali boys who had gone astray. On account of the many imperfections in the Bill in the matter of principles, which cannot be remedied by the Select Committee, I would suggest that the Bill be further circulated so as to get the opinion of the public bodies in Calcutta, particularly the opinions of the Bar and the Vakils' Library of the Calcutta High Court, and the libraries of the Police Court, the Howrah Court, the Sealdah Court and the Alipore Court. They, with their more specialized knowledge, would be able to tell us how the evil can be met with the powers which the police already possess and how means can be effectively devised without extra judicial powers being given to the police.

Mr. TARIT BHUSAN ROY: I feel that I shall not be justified, at the fag-end of this day, to inflict a speech upon this House. But I equally feel that it is my duty to accord my whole-hearted support to the principle upon which this Bill has been framed. It is the outcome of representations made from time to time by the various associations in Calcutta. There is no denying the fact that the evil of goondaism has grown in spite of the preventive action which has been tried from time to time by the police. It is therefore desirable that effective steps should be taken to suppress goondaism in the city of Calcutta. At the same time I feel that the Bill does not go far enough. Goondaism has got to be suppressed. No distinction should, therefore, be made between up-country or Bengali or Christian goondas. Whatever the place of origin of these roughs and hooligans and whatever their parentage, they must be ruthlessly deported. So far as Bengalis are concerned, I believe, the simple remedy would be to intern them within Bengal. I do not at this stage propose to go into any details. Some members have pointed out, and rightly, I think, the necessity of submitting the report of the Commissioner of Police to a judicial authority, for instance, a Judge of the High Court. I think it would meet the situation and satisfy public opinion if the report against a particular individual or a batch of individuals were to be submitted for disposal by a Judge of the High Court. A certain member has suggested the appointment of a committee to be associated with the Commissioner of Police. I am not one of those who has no confidence in the Commissioner of Police of Calcutta, but may I ask how many citizens you will find in Calcutta who will be prepared to act on this committee? I know of cases of respectable educated men who had refused, although they were eye-witnesses, to depose against hooligans in my part of the city. A respectable gentleman to our surprise was belaboured by a gang of hooligans in my locality. He was a gentleman drawing a pension of about Rs. 400 and was mercilessly beaten. His zenana was invaded. There

were many witnesses and when they were approached they said: "Well, we cannot go against the hooligans and give evidence." This is the position. Under the circumstances it is inconceivable that you will get many men to serve on this committee, which some of the members are very keen about associating with the Commissioner of Police. I would not detain the House any longer. I believe the various suggestions which have been made by the members will be carefully considered by the Select Committee in modifying the provisions of this Bill in order that it may be effective without being odious or oppressive.

Babu SURENDRA NATH MALLIK: I am one of those unfortunate persons who had to spend the best portion of his life among crimes and criminals in and about Calcutta. Having done that, knowing all that I do, I welcome this measure whole-heartedly. I am perfectly willing to agree that suggestions might be made by various persons and bodies, both public and private, so that the Select Committee might find their way to modify any of these matters of procedure or even principles which are harsh, so that there may not be any serious danger so far as members of the community who are innocent are concerned. But that cannot be any reason why we should oppose the introduction of this Bill. Then, again, the police may be corrupt or bad, that cannot be any reason why we should not do our part of the duty. As regards the police, I think that the young gentleman who attacked them—

Mr. HUSEYN SHAHEED SUHRAWARDY: On a point of order. Is the member in order in referring to a fellow-member as a young gentleman?

Mr. PRESIDENT: Youth is no offence. I do not think Mr. Mallik means anything offensive. But, perhaps, as objection has been taken, Mr. Mallik, you might refer to the member as my friend.

Babu SURENDRA NATH MALLIK: May I refer to him as the young gentleman who chooses to think himself old?

Mr. PRESIDENT: No, I do not think you can do that. (Laughter.)

Babu SURENDRA NATH MALLIK: Well, my friend began by saying all manner of things against the police. But does he know that he is the person who has given them the best certificate? During his professional career of three years he has, on his admission, come to know three superior police officers who are in his opinion excellent, gentlemanly, efficient, and every thing that is good. I may tell him that during my 29 years' experience at the bar I know that there are many excellent, gentlemanly, and efficient officers in the force, and when he has 26 years' more experience he will also agree with me. This is my point with regard to them.

I find my name in the list of the Select Committee members and I can assure the House that I will scrutinise every section of the Bill.

If there is anything in the Bill from which any danger is apprehended as regards security of the innocent people or if there is anything which might be turned into account by unscrupulous persons to the danger of their innocent friends or relatives by putting them into trouble then, certainly, it should be the duty of every man in the committee to oppose them. But if it is not so, then there is no reason why we should oppose the Bill merely on account of certain misapprehensions and certain fears which do not really exist anywhere. It is not a question of Calcutta or mufassal. Everybody who knows Calcutta knows that there are very few people who would venture to come forward and give evidence against a goonda. As regards the suggestion of a panel of four men sitting together and judging cases I can assure the House that that will not do. There are very few people who would venture to come and give a hearing openly to the goonda cases and be marked by the goondas as the persons who tried their cases. Look at the facts. It is a measure for our own good, and so far as Bengalis are concerned I do not find that there is anything objectionable in the Bill. If you are a born Bengali you do not come within the law at all. Should it be so or not that is a different question, and I have something to say about it. A goonda is a goonda, be he a Bengali or an up-country man. But that is not the point. The point is this: have we got any other suggestion more efficient or equally efficient which we can accept in lieu of this Bill at the present moment? [A VOICE: The Calcutta Police Act.] I find that my friend who has just interrupted me has very little knowledge of the Police Act——

Mr. PRESIDENT: That does not matter. No notice need be taken of the interruption.

Babu SURENDRA NATH MALLIK: The present Police Act and the Criminal Procedure Code from section 107 onwards are absolutely inefficacious, because the whole of that is based on a trial in a court, where you must have witnesses. If the police does not get witnesses they will bring in their *panwallas*, *biriwallas*, and hackney-carriage drivers. When they cannot get respectable persons to give evidence they will bring all those persons. They cannot possibly do otherwise. Sir, we must have recourse to some measure merely as a matter of expediency in order to get rid of this trouble—that is the question. I may mention that this was the only thing in which I agreed with the Hon'ble Sir Henry Wheeler when he was with us. When Sir Henry Wheeler first spoke to me about this Bill I cordially supported it. I said I welcomed it. He said: "Mr. Mallik, I am surprised to find that you are going to support me in this." I said: "I will do so with the greatest pleasure, because I am perfectly convinced that there is no other machinery which can be so effective for the purpose for which this has been placed before us." It will not do to throw this out. If any of my friends have got any suggestions, let him write to the

committee, and I can assure him that the greatest possible attention will be paid to them and I for myself will throw away the whole Bill if there is any other method of coping with the evil.

[The Council then adjourned for 15 minutes.]

After the adjournment.

The Hon'ble Mr. H. L. STEPHENSON: I think the debate of this afternoon will confirm the Government in their view that they have the support of the country behind them in this Bill and that the Bill meets a real demand on the part of this Council. We may have lagged behind public opinion in this matter, although that is an allegation not often brought against us; we are generally accused of being too far ahead. There are only two speakers who have opposed the motion for reference to the Select Committee. One is Mr. H. S. Suhrawardy, who has displayed a very close acquaintance with the goondas and whose acquaintance with them has apparently proved to be more fortunate than that of other members of this Council. His speech, I think the Council will agree, contains more bitterness than argument, but I would like to point out to him the logical fallacy when he stated after a bitter attack upon the past administration of the police that he was quite content that no harm can possibly be done so long as the officers like Messrs. Bird and Wilson were there Messrs. Bird and Wilson have been in the Calcutta Police for a considerable number of years covering a period which is included in Mr. Suhrawardy's narration of police oppression. The other member who opposed the motion was Mr. K. C. Ray Chaudhuri. With regard to his speech, I would only repudiate the statement made that goondas are a part of the honest working men who come to Calcutta to seek for employment, and I am sure his own constituency will repudiate the statement also.

Another statement of his attack is the reference in my speech with regard to the fire incident in a certain theatre. He said that it was not the work of goondas but the action of certain youths who had been refused their usual free admission and who thereupon attempted to fire the theatre. Sir, if that is not goondaism, I do not know what is. Setting fire to a theatre for being refused free seats is surely an exhibition of goondaism that we wish to check. One of the two suggestions that he made against the motion that this Bill should be proceeded with was that the Calcutta Police Act should be amended instead of bringing in this Bill. But surely it is merely a matter of procedure whether we proceed by amending the old Act or by bringing in a new Bill. That is only a question of procedure and it seems advisable to deal with a particular situation by a special Act instead of tinkering with the general law. His other suggestion was an astounding one, namely, that residents of Barabazar should provide themselves with armed guards. Surely it is a better way to deal with hooliganism by passing an Act like this than by giving residents of a particular locality the

permission to keep armed guards to kill the goondas and possibly other people.

With reference to the amendment that has been moved, as soon as I heard that Babu Indu Bhushan Dutta wished the Presidency Magistrates to be consulted, I asked the Secretary of this Council to send copies of the Bill to the Chief and Second Presidency Magistrates and obtain their views on the subject. No doubt, they will consult other Presidency Magistrates in the usual course. If the Council desire that any body of legal opinion should be consulted, I have not the slightest objection, and I am willing to consult the mover as to what representative bodies in Calcutta he desires to have the Bill sent to.

The speeches this evening have shown, I think, beyond doubt that it is the general opinion that the evil is so great that it is necessary to tackle it now. One speaker, I think one speaker only, has thrown a doubt as to whether special legislation of this kind is necessary. I have already explained in introducing this Bill—and it has also been explained in the papers that have been circulated—the reasons why the present law is not sufficient to deal with the goondas. I will not take up the time of the Council by going into it again. One principal reason is, as has been stated by Mr. Tarit Bhusan Roy, it is almost an impossibility to obtain evidence for the prosecution of goondas in the ordinary courts.

A suggestion has been made—I am glad to say that it was not taken up by the Council as a whole—that the Bill should be on a temporary basis. I think the Council will agree that legislation of this kind cannot be a temporary measure. In the first place, the main objection to it is that if you pass the Bill for one year and get rid of the goondas and do not pass it again next year, the Act lapses and the goondas come back again. Again, if the Bill is successful, its very success stands in the way of Government coming up next year and asking for its continuance, because we shall be told that the evil no longer exists. Besides, it is always open to the Council to repeal the Act. Therefore, I trust that this tentative suggestion will not be pursued.

The main criticism of the principle of the Bill is that it is an indefinite one, because the definition of goondas is not precise. That is perfectly true; we all know what a goonda is, but very few people can put down a short and concise definition of him, and we are advised that the definition we have put in the Bill is the best way of indicating the sort of men who are the goondas. I would point out that you cannot deport a man under this Bill because he is a goonda, but only because he is of the class of goondas and he is also a man who is about to commit a non-bailable offence and so forth.

The other main line of objection is that we do not include the Bengali goondas. The reason of that I gave in my opening speech. The Bill, as it stands, is for deporting a certain class of goondas, and I

put it to those gentlemen who are so keen on maintaining the rights of individuals whether we should have any justification for exiling from Bengal the Bengali goonda and telling him to go elsewhere and find his living. The other provinces would most certainly object to our doing that, but apart from that, from the point of view of Bengal itself, have we the right to turn a Bengali out of Bengal? Besides, the Bill, I may remind the House, does not impose a punishment; it is only a preventive Bill. It deports those who do not belong to the province; it inflicts no punishment on them unless they come back again. In the same way, I think, the House will agree, we have no right to exile and so punish a Bengali goonda. If the Select Committee can devise a way of dealing with the Bengali goonda short of exiling him, Government would certainly be willing to consider their solution.

Another point raised is that the Bill is confined to Calcutta only and that Howrah and the mill areas have been excluded. There is great force in that. The reason why it is confined only to Calcutta and does not include other areas is that it was drawn up entirely on the representation of the people of Calcutta, and we provided in it not only for goondas living in Calcutta but also for goondas frequenting Calcutta, which would rope in goondas who live at Howrah and commit their depredations in Calcutta. I think the present limitations of the Bill are not altogether satisfactory, but I hope the Select Committee may be able to find a way out of it.

The last point I wish to mention is the Statement of Objects and Reasons with which fault has been found by some members. I have been accused by the Kumar Sahib of saying that the Marwaris keep goondas. If members will read the Statement of Objects and Reasons they will see that it is an unjust accusation. The statement says that "the Marwaris, on the allegation that police protection is insufficient, maintain numbers of the class of men from which the goondas come, and thus make it still more difficult for the police to deal with the evil." The Statement of Objects and Reasons was drawn up to give the House an account of how the Bill came to be put before it. In the course of that it was necessary to explain what the origin of the large number of goondas in Calcutta was, and our inquiries dating back some years from now, do show that a large number of the class, which accounts for these goondas, came down originally as durwans, etc.—I will not use the word *lathials*—all employed by the rich business community of Barabazar. Government never for a moment suggested that the Marwaris or any other people employ goondas, but what they say is that it was the employment offered by these people which attracted this class of men to Calcutta, and this class of men is the class which provides the goondas. I do not say that these men once they take to goondaism, remain in the service of the Marwaris.

Various suggestions have been brought forward for improving the Act. These, no doubt, will be of great assistance to the Select Com-

mittee. I think the House will agree that the Select Committee is a very representative one and is constituted with the idea of enabling Calcutta to shape the legislation as its public opinion thinks best. I am sure the suggestions which have been put forward will receive their fullest consideration. I trust, therefore, that the House will now allow the Bill to go to the Select Committee.

Mr. BIJOYPROSAD SINGH ROY: I move that the question be now put.

The motion that the question be put was then put and agreed to.

Babu INDU BHUSHAN DUTTA: As the Hon'ble the Member has accepted my suggestions, I beg leave to withdraw my amendment.

The amendment of Babu Indu Bhushan Dutta was then, by leave of the Council, withdrawn.

The motion that the Goondas Bill, 1922, be referred to a Select Committee was then put and agreed to.

Mr. PRESIDENT: I have to announce the result of the election to the Select Committee for the amendment of the Standing Orders. The names of those who have been elected are as follows:—

Mr. A. Marr.
Dr. Hassan Suhrawardy.
Shah Syed Emdadul Haq.
Professor S. C. Mukherji.
Babu Indu Bhushan Dutta.
Mr. S. M. Bose.
Mr. Syed Erfan Ali.

The Deputy-President will also be a member of the committee in accordance with Standing Order No. 100, and I nominate Mr. R. H. L. Langford James, one of the Chairmen of the Council, to be on the Committee in accordance with the Standing Orders.

The Committee will meet to-morrow at 11-30 A.M. at the Town Hall.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Council stands prorogued.

The members then dispersed.

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